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THE NATION

JANUARY 19, 1974

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COMING TOGETHER IN GENEVA

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GALBRAITH AND THE LIBERAL PURPOSE

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LETTERS

the slant on Chile

New York City

DEAR SIRS: Prof. Laurence Birns in his effort to discredit Chilean sociologist Pablo Huneeus and myself ("Chile in *The Wall Street Journal*," *The Nation*, Dec. 3) seems to have had considerable difficulty staying within the bounds of accuracy. Some examples:

¶Mr. Huneeus is *not* a member of the right-wing faction of the Christian Democrats. Although he held an appointed post in the Frei government, he's never been a member of any political party.

¶He has never criticized Dr. Allende on television. His last TV appearance was in 1970 on a panel discussion about youth while he was a U.N. employee.

¶Mr. Huneeus' so-called "extended honeymoon in the Spanish Mediterranean" was actually time spent working on a research project under the auspices of the sociological institute of Madrid University. He produced a book called *The Bureaucrats*, a look at how a state functions, and completed research for a second book on the Spanish young generation.

¶Far from being a "Chilean Joyce Brothers" in a woman's magazine, at age 33 he has to his credit seventeen papers for technical journals and three books: *Social Situation of Copper Miners* (1969), *Human Resources and Employment Policy* (1970), and *The Bureaucrats*. The first two, at least, are sufficiently dull to satisfy scholarly standards.

¶Rather than having contact with only the upper classes, as Birns claims, Huneeus is known for his field research. He lived for three months with miners for his copper study and the work brought about new laws to protect them from exploitation. For three years he was director of the National Employment Service, which brought him in close daily contact with the unemployed. A fellow correspondent two years ago told me Mr. Huneeus was *the* best single source to contact in Chile. That correspondent was John Barnes of *Newsweek*.

¶I have never written or held the conclusion "that a majority of the public [in Chile] advocated the violent, bloody overthrow of the constitutional government," as Mr. Birns writes.

¶I've never been the guest of an expropriated landlord. I don't even know one and I consider this to be a shortcoming since I should have contacts at all levels of Chilean society.

¶Dean Jaime del Valle of the Catholic University Law School says he did not back away from his charges of election fraud, as Birns wrote. In fact, he reported on television that votes cast in the March election exceeded possible votes by 250,000, or 8 per cent of the total vote.

In allowing Mr. Huneeus space to argue against the *Newsweek* story, "Slaughterhouse in Santiago," *The Wall Street Journal* is not supporting the coup, nor denying that there was killing or approval of killing. But, as Birns notes, the *Newsweek* account was the most influential coming from Santiago; and by all that I and other correspondents could learn, it was gross overstatement.

Jonathan Kandell of *The New York Times* and Lewis Diuguid of *The Washington Post* each independently wrote stories casting substantial doubt on the *Newsweek* account. Mr. Kandell found that in Pincoya población, where Mr. Barnes reported that all males in one square block were killed, in fact only one person had died. He also found, as Huneeus did, that the morgue figures were for the period since January 1 and not for the first two weeks of the coup.

The differences between Mr. Birns and myself arise because I am only a reporter, not an advocate of any kind of ideology. What I found in Chile determined what I wrote. In defense of my stories I can only say that our readers were informed that the Allende government was heading

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EDITORIALS

New Spirit in Detroit

A turning point was foreseeable in the effort to curb urban violence: it would come when new black leaders emerged who were capable of enlisting the cooperation of the black community. The facts about crime are well known, but group pride and intergroup reticence have kept them from being properly emphasized. Recently Thomas D. McNeal, president of the St. Louis Board of Police Commissioners, broke the taboo by reminding residents that 75 per cent of crimes in St. Louis are committed by blacks, but that *80 per cent of their victims are also black*. The commissioner would probably not have spoken as he did but for the fact that the St. Louis *Argus* had published two leading editorials in which it sought to convince its largely black readership that the number-one problem in the black community at the moment is black crime committed against black citizens and black business. In general, white leaders are reluctant to make statements of the kind voiced by McNeal for fear that the facts will be misused or distorted in such a way as to stimulate further racial prejudice. Black leaders have their own reasons—pride, a sense of solidarity with the black community—for not speaking out.

It is for this reason that Mayor Coleman A. Young of Detroit is the right man, in the right office, in the right city, at the right time. His inauguration may well mark a real change in the approach to urban violence. Many white Detroiters are skeptics but, as William K. Stevens reported in *The New York Times* (January 6), "their misgivings were eclipsed . . . by the pageantry, the verve, flash, style, the sense of high purpose and opportunity, and the pervasive atmosphere of civic unity that characterized the three-day inaugural extravaganza. Detroiters sang, prayed, ate, drank, danced, went to a ball and a concert, partied, laughed, and just preened. It was styled a people's inaugural . . . and it looked that way. Superfly to super-straight. Broad-brimmed ghetto hats and scarlet-and-white street suits to tuxedos. Ball gowns, pants suits, caftans and capes."

The Mayor's first official act was to attend a prayer breakfast at which Judge Damon Keith (see: "Growing Up with Detroit"; profiles of Mayor Coleman and Judge Keith; *The Nation*, December 24, 1973), in making the "challenge" of the religious community to the new Mayor, spoke of crime in "Murder City" with courage and candor. Some of what he said merits quotation:

> The crime problem is a matter that has infiltrated the public consciousness and has weakened this entire community. Your administration will have to devise a means of ridding this city, root and branch, of the criminals who are committing murders, rapes and assaults on the people of this city. The drug addicts must be aided in seeking a cure for their terrible affliction. . . . The drug pusher, on the other hand, must be exposed and brought to the bar of justice. *I am aware of all the sociological reasons* as to why crimes are committed, and understand most of them, but I say to you while we work to eliminate poverty, substandard housing, inadequate education, and all the evils that are the by-products of a racist

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society, we must also, without delay or equivocation, strive to make this city of ours a safe place in which to live, in which to raise our children, in which to enjoy the fruits of our labors and our God-given rights.

Let me say a word about our police—our police who bear the brunt of the hostility of the black community. They are frequently regarded as the "army of occupation," as the "enforcers" of the *status quo*. Frequently, not always, they are. But let us be reminded that today our police are assigned an almost impossible task. They are asked by the larger society to maintain order in an unjust society—a society which has systematically and illegally frustrated blacks in their efforts to survive. The police, alone, cannot keep order unless and until the major institutions of the larger society demand justice. . . . Let us *look, not with shame but with cold logic at the record*. The crime problem, which has won for our city an unprecedented degree of adverse publicity, is essentially a wave sparked by black criminals preying upon black victims. Tragically this crime wave is aided and abetted by black people—"it's no business of mine" —when the police come, nobody is there who remembers seeing anything. . . . Thus Mr. Mayor, you must lead a revolt of the people of this community for justice and against crime (italics added).

The Mayor, who is said not to have attended many prayer breakfasts in his career and who had been up late the night before celebrating his inauguration, put his prepared remarks aside and responded to Judge Keith's challenge in words that will be understood throughout Detroit. "I issue an open warning right now to all dope pushers, to all rip-off artists, to all muggers. It's time to leave Detroit. I don't give a damn if you are black or white, or if you wear Super Fly or blue uniforms with silver badges: hit the road!" That these blunt words brought the mostly black audience of 2,000 to its feet cheering is a hopeful sign that the Mayor can win the support of all Detroit in meeting the challenge Judge Keith voiced.

Flying Blind

One aspect of the energy crisis is beyond dispute: federal officials simply do not have the facts on which to make sound policy decisions and recommendations. The chief counsel for the Senate Interior Committee has said: "We rely on industry to provide 95 to 98 per cent of the information," a situation which Senator Jackson has properly tagged as "ridiculous." Exxon "wants you to know," but the California legislature recently issued contempt citations against Standard Oil, Exxon, Union, Mobil and Texaco after they refused to comply with subpoenas demanding data on their operations.

This information impasse is worse than ridiculous: it is extremely dangerous. By and large the media are also "flying blind," unable to get the facts. Naturally the public is skeptical about almost every aspect of the crisis and this skepticism will spread and deepen unless government acts swiftly to get hard information and make it available. A reporter from *The New York Times*, sent to check up on refineries in New Jersey, encountered a "security blanket" as tight as that which might prevail at a secret missile site; Exxon officials refused point-blank

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to discuss any aspect of the problem. Christopher Rand, an expert on the industry, comments in the *Times*:

> People are in ignorance of this industry's real figures (except those for the prices they pay). They still know absolutely nothing about the true magnitude of America's immense oil and gas reserves, the incredibly low cost of producing oil anywhere, even in the United States, or the ruthlessness with which major refiners bring costs to a maximum by emphasizing gasoline production at the expense of residual oil.

The industry, of course, is dominated by the five largest companies and they have incestuous ties with this Administration—oil companies contributed $5 million (minimum estimate) to the President's campaign.

High on the agenda of the new Congress therefore should be: (*1*) legislation that would set up an independent monitoring agency to assemble, by subpoena, the necessary information on all aspects of the oil industry: reserves, consumption, allocations, profit margins, flow, overseas sales, prices, etc.; (*2*) an independent research and development agency *not* dominated by big oil and its stooges in government; the present advisory committee is dominated by big oil and will allocate research funds as it dictates; (*3*) take seriously Chester Bowles's recent suggestion that the government should "assume direct responsibility for the operation of the entire petroleum industry, as it did successfully during World War II." Big oil dominates every phase of the energy industry—coal, uranium, shale, as well as oil—and this stranglehold must be terminated as of now.

Public Enterprise, Private Gain

Much has been written on the continuity of prosperity since World War II. The purpose has generally been to show that the system of private enterprise is now secure. However, the truth is that it is maintaining itself by eating away at itself.

A quick examination of the *Statistical Abstract of the United States* shows that not only is the public debt, in money, rising year by year, but the government's share of the real product and of employment has also been increasing steadily. Articles noting this have appeared in such conservative publications as *The Wall Street Journal* and in releases of the Federal Reserve Bank of St. Louis.

In fact, inflation has become so characteristic of the economy that the concept of "normal" inflation is now established as an economic principle. Necessarily, if the government spends more than it takes in, the average price level is forced upward. And public credit, especially federal credit, is convertible into money without limitation.

Because of this constant upward pressure created largely by public credit, the very principle of supply and demand has lost much of its relevance. The resulting futile attempts to control prices are but another intrusion of government into the economy, amounting to conversion of private into public enterprise. The so-called private sector is being transformed, step by step, into a public economy for private benefit. For all its paranoid efforts, involving the killing and maiming of millions in foreign lands in order to stop or slow down the spread of public enterprise, private enterprise itself, by its own hand and in its own home, is being eroded or dissipated. The beneficiaries are still private, but the process of production, bit by bit, is becoming public.

Without this steady erosion through government credit and controls, the boom and bust of private enterprise would still be with us. The inevitability of the business cycle in uncontrolled private enterprise was shown by this author more than twenty years ago in an article in *Science* (January 18, 1952). Nothing since has changed that certainty. What is coming into being is public enterprise for private profit. The government has ceased to be an agency of the people; it has become the agency, indeed the property, of private enterprise.

GEORGE T. ALTMAN

Grass-Roots Needs

A recent survey by *The New York Times* and a study by the Tax Foundation provide facts which subvert the grand rhetoric of Richard Nixon's "New American Revolution."

When Nixon proclaimed his Revolution (John Mitchell, then Attorney General, said it was the most important moment in our history since the founding fathers), it was supposed to decentralize power and return control of the society to the grass roots. In the President's simplistic image, the fact that revenue sharing would put federal money in the hands of governors and mayors guaranteed that there would be a rebirth of community participation.

In fact, as some of us noted at the time, the "grass roots" are more conservative than the federal government, and more often than not are dominated, or heavily influenced by, the real estate speculators and big farmers who have historically focused their special interests upon state and municipal government. The record now confirms this theory. A Tax Foundation questionnaire, sent to 409 cities with populations greater than 50,000, drew 212 responses; they showed that the revenue-sharing moneys were spent in five main categories: environment, 12.7 per cent; law enforcement, 11.5 per cent; street and road repair, 10.9 per cent; fire protection, 10.4 per cent; parks and recreation, 7.4 per cent. Only 1.6 per cent went to social services and 1.1 per cent to health.

As far as the minorities and the poor are concerned, Vernon Jordan of the Urban League described the effect of giving power to city hall and the statehouse: "To black Americans who historically had no choice but to look to the federal government, that is very much like hiring the wolf to guard the sheep!"

But this does not mean that there is no hope for the decentralization of power. If the federal government were to establish a basic income floor for all citizens (thus "nationalizing" and completing our jerry-built welfare system), guarantee health care for all and in general make a basic standard of well-being the *right* of every American, then local areas could indeed make many more choices than is now the case. And with that federal minimum in income and health (and housing), the majority of the people might even have secure enough lives to allow them the luxury of becoming the grass roots.

MICHAEL HARRINGTON

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Human Rights in Madrid

While agitating for freedom to emigrate from the Soviet Union and the establishment of democratic institutions there, Americans tend to be oblivious to right-wing tyranny; Spain is a conspicuous example of this lopsided indignation. In its April 16, 1973 issue *The Nation* called attention to the plight of "The Carabanchel Ten," a group of Spanish metalworkers, but including also a lawyer, a taxi driver and a priest-construction worker, who were awaiting trial for the crime of seeking to form free labor unions, with the right to strike. This isolated American protest gave encouragement to the U.S. Committee for the Carabanchel Ten, and when the trial was scheduled for December 20, it was able to send four observers to join those from other parts of the world—the first time a U.S. delegation has observed a "trial" of this kind in Spain. The U.S. observers were Ramsey Clark, former Attorney General; Henry Foner, president of the Joint Board of the Fur, Leather, and Machinists Union; Eric Schmidt, executive secretary of the U.S. Committee; and Henry Giler, a West Coast attorney.

The proceedings lasted three days and the result was as expected. Any chance of leniency, extremely slight at best, vanished with the assassination of Admiral Luís Carrero Blanco on the very day the trial of the Ten opened. Two of the metalworkers got twenty years apiece, the priest and the lawyer received nineteen-year sentences; the remaining sentences ranged from twelve to eighteen years. These outrageous prison terms were handed down by a so-called Public Order Tribunal, which in Franco jargon stands for a kangaroo court.

Despite the fantastic sentences for nothing more than trying to organize workers, there were some encouraging developments at the so-called trial. The defendants were represented by Spanish lawyers of high standing, and the Madrid newspapers published factual accounts of the proceedings. At a subsequent press conference—one of the first of its kind the media could remember—American observers received special attention, centering on Ramsey Clark. The Franco dictatorship is anxious to maintain a façade of tranquillity and order, behind which it can step up official violence and repression and continue to receive U.S. military handouts. In place of the slain Carrero Blanco, Franco has appointed Carlos Arias Navarro, a former minister of the interior and a kind of Spanish J. Edgar Hoover. Arias pledged the government to a policy of political liberalization, enforced with "severity and calmness." We know what that means. Incidentally, the new cabinet contains no members of the Opus Dei, the lay Catholic organization which for sixteen years has been in the van of Spanish politics and business.

The United States has heavy military and commercial investment in Spain and bears commensurate responsibility for the Fascist barbarities of Franco's shaky regime. The U.S. Committee for the Carabanchel Ten needs funds to continue its efforts on behalf of these and other victims. Its address is 9 East 40th Street, New York, N.Y. 10016. Protests can be addressed to Secretary of State Henry Kissinger. It is a national disgrace that, through American policy, American citizens should in effect be made a party to the crimes of a Fascist regime, more than a quarter of a century after the defeat of German and Italian fascism in World War II. Protests addressed to the Palace of Justice in Madrid may note the fact that the defense of the Carabanchel Ten was premised on the Declaration of Human Rights which in principle became binding on Spain when it was admitted to the United Nations. In the precarious situation of the Franco dictatorship, American disapproval may carry weight.

Bon Voyage!

After a hiatus of a quarter century, we are once more resuming trade with mainland China. "The China trade" is a phrase of great resonance in our country's history. Many a fortune was founded by intrepid American seafarers who plied the seas to the Far East. The self-stultification of barring commerce with the most populous nation in the world is ending at last.

It is not the bankers or businessmen who took the initiative in this return to sanity. The International Longshoremen's and Warehousemen's Union played a prominent role in persuading the People's Republic of China to send a 19,000-ton bulk cargo carrier, the *Caspian Sea*, to the West Coast. She took on 2,000 tons of aluminum ingots at Longview, Wash., then loaded 25,000 bales of California cotton at San Francisco and Long Beach. She is now at sea, bound for Shanghai.

Before the vessel sailed from San Francisco, on December 12, 1973 ILWU president Harry Bridges extended greetings to the crew in a ceremony in their messroom. "This is a great day for our organization," Bridges said. The ILWU *Dispatcher* adds, "It was in two ways. First, it signaled the potential of the resumption of trade with China in purely economic terms. To the ILWU that means jobs. Secondly, it represented in political expression a hope for more friendly relations with China—particularly the working people of the two countries."

The event was big news in San Francisco. It brings back recollections of the Red-hunting hysteria of the Great Depression, when Harry Bridges narrowly escaped deportation to his native Australia. In time the shipping interests softened their animosity; they came to regard Bridges as a stabilizing influence in labor-management relations. Incidentally, he is now a member of the San Francisco Port Commission.

The December 12th ceremony teaches that there are limits to human folly as well as to human wisdom. Despite all obstacles and difficulties, we can use trade with China: the potential is immense. Management would be well advised to send some ILWU people to the Far East to drum up trade; it would make as much sense now as it did in the early days of the Republic.

The Eachus File

Portland, Ore.

When Ron Eachus was student body president at the University of Oregon, in Eugene, he was an anti-war activist. Upon his announcement in late 1970 that he would travel to Hanoi with a delegation from the Na-

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tional Student Association, the FBI office in Eugene, following instructions from Washington, began to compile a file on Eachus. Xerox copies of the complete and official file were given by Thomas Ackerman, head of the FBI's Eugene office, to Ray Carnay, news director of Eugene radio station KPNW. Carnay used at least part of the file to attack and discredit Eachus in particular, and anti-war activities in general. When Carnay resigned from KPNW and removed his personal effects, he left behind the FBI file. Robert Porterfield, assistant news director at KPNW, asked Carnay what to do with the file, and Carnay advised him to take it with him when he left the station. Porterfield did so and last April 4, after being shaken by Watergate, he handed the file to Neal Rosen, a reporter for the *Daily Emerald*, the University of Oregon student newspaper.

The next day, Rosen's story appeared on the front page and two inside pages, along with photos of some of the file's contents. Eachus then did something few persons investigated by the FBI have had a chance to do: he read the file, courtesy of the *Emerald*. Unimpressed by its investigative sharpness, Eachus declared: "If the FBI is going to keep files on people they should get reporters to cover meetings rather than FBI agents. Some of the quotes they attributed to me really didn't make sense. I figure it was just stuff they would have liked me to have said."

The disclosure of Eachus' FBI file in the *Emerald* cost Ron a position as a $12,000-a-year researcher for the Administration Committee of the Oregon legislature. (He had worked as a lesser-paid legislative researcher during the previous session.) In a letter of September 25, addressed to Sidney Lezak, U.S. Attorney for Oregon, Richard Eymann, speaker of the state House of Representatives, wrote: "I do believe that Ron was seriously damaged by the publicity coming from the *Emerald* article about his FBI file." Eymann also wrote: "If the case against Mr. Ackerman goes to trial I am willing to testify and I am willing to have my deposition taken in advance of trial."

A month earlier, Eachus had sued Ackerman in Lane County Circuit Court, charging that "Defendant's transfer of plaintiff's file was done intentionally, maliciously and was intended to do harm to plaintiff. . . ." Eachus was represented by a team of three attorneys, headed by Charles O. Porter, former Congressman, *Nation* contributor and one of the best-known civil liberties advocates in the Pacific Northwest.

When word of the suit reached U.S. Attorney Sidney Lezak, he was indignant. He felt Ackerman was clearly in the wrong, but he was also certain that disclosing the files was a violation of FBI procedures and was happy that Porter took the case into a state circuit court rather than a federal court, where the FBI itself would be on trial. But he was dismayed to learn that two FBI officials from Washington, one of whom identified himself as Inspector Zeal, had visited Eugene to investigate Ackerman without Lezak being notified.

Early in October, Porter and Lezak reached agreement on terms for settling the suit, and in a letter dated October 11, the terms were approved by FBI Director Clarence Kelley. The FBI agreed to pay Eachus $1,000, to reprimand Ackerman and to suspend him for one month. He had already been transferred to Kansas City but, according to a source close to the FBI, for an indiscretion not involving the Eachus file. In addition, Lezak was authorized to state that "FBI policy does not condone or tolerate the divulgence of any information from its files to unauthorized persons."

Eachus, now earning a living as a bartender in Eugene, declared that one-third of the $1,000 would go for legal fees; the remaining two-thirds would be donated to Medical Aid to Indochina, "in the name of the FBI."

There are a few illuminating postscripts to the case. An attorney who followed it closely made these observations to a correspondent for *The Nation*: "This shows that Kelley is a great improvement over J. Edgar Hoover. Hoover would never have admitted that the FBI ever did anything wrong. Also, the agreement was worked out while Richardson and Ruckelshaus were at the Department of Justice. They had on several occasions expressed strong feelings about the defense of civil liberties. But they are gone, and it remains to be seen how well their successors will cherish those rights." RALPH FRIEDMAN

DIPLOMACY'S TURN

COMING TOGETHER IN GENEVA

ROBERT PLANT

Geneva

Swiss neutrality does not countenance the wearing of foreign military uniforms on the national soil. The Marines who stand guard at the United States Mission here in Geneva keep carefully inside the entrance, where they may be seen from the street, presenting their familiar solid appearance. They arrive in civvies, put on their war paint in the precincts and change back again before stepping out onto the rue de Lausanne, looking as if they wouldn't say boo to a goose.

Ever tactful, the Genevois appear to have allowed a minor concession to the three generals, two colonels and one humble captain (an Irishman of course) who are tussling at the Palais des Nations with the problem of disengaging the opposing armies on the Suez Canal. Though they do not sport their uniforms in public places,

Robert Plant, a native of Uganda, was once editor in chief of a newspaper group in that country. He is now a freelance in Geneva, writing on Africa and labor.

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these gentlemen are permitted to tog up in their hotels, whence they make the short dash to the Palais, more or less concealed in the deep recesses of their enormous automobiles. At the Palais they emerge in all their splendor. And oh, what lovely medals! Surely, they must be the six bravest men in the world. Which ribbon is for the Battle of Hastings, that is what I'd like to know.

It is to be hoped they have brains as well. The Irishman, at least, should have a smattering, but one is always doubtful about military personnel who attain the rank of general. The brains, I understand, will be required because the task of disengaging the two armies is regarded on all sides as one complex in the extreme. Abba Eban has told us not to expect results for at least a month, perhaps two. I therefore propose to leave them to it. No words of mine can elucidate the difficulties, because I do not understand them. To a simple layman, the basic issue seems elementary: if either or both sides want to fight, they fight; if they don't want to fight, they disengage. The rest is logistics, or whatever these fellows call it.

On the face of it, the situation is grave enough. Spokesmen of both sides have assured us that, if disengagement is not achieved, the war will start again. We dutifully scribble down these warnings, looking as impressed as we can. In fact, the war will not have stopped—armies that are engaged are at war. The gravity of the situation on the Canal obviously derives not from the problems of disengagement as such, but from the genuineness of the belligerents' desire for peace. How sincere is the mood of the Middle East peace conference?

Despite accusations of saber rattling on all sides, the general impression is that everyone here is thoroughly sick of the war. If they are not sick of it, the knowledge that at any rate their suppliers of arms are becoming so will no doubt help to induce a more accommodating humor. One is reminded of Doctor Johnson's remark about the concentrating effect on the mind of knowing you are to be hanged. In the not very long run, that effect will doubtless be felt by the conspicuous absentee from Geneva, Syria, as well as by the various interested states not invited. All the world knows that America and Russia can put the Middle East out of business as a serious theatre of war, and probably will if the armies don't "disengage."

The existence of the peace conference, therefore, seems to me sufficient evidence that the bemedaled champions will probably solve their disengagement problems. But it goes much further than that. The existence of the conference proves that, for all practical purposes, Israel has won the war—the twenty-five-year war, as Kissinger called it.

What, after all, has the fighting been about? It has been about Israel's right to exist as a legally constituted state in the Middle East. Most Western Socialists, like myself, sympathize with Israel's situation. We therefore find it hard to accept that in fact Israel has as yet no legal right to be there.

The Israel Information Service at the peace conference —by far the best organized, not excepting the United States'—offers the interested journalist a booklet which is, in effect, a statement of that right, with the title, quoted from the famous General Assembly Resolution 242, *Secure and Recognised Boundaries*. Much of this excellently produced publication is historical, starting 3,000 years ago, with some nice maps. A good deal of it, naturally, presents Israel's case in the 1948, 1956, 1967 and 1973 outbreaks. Other parts refer to the various international documents which led to the creation of the state of Israel. The principal ones are the Balfour Declaration, the League of Nations Mandate and the United Nations 1947 resolution.

The crucial thing to remember, in connection with all

Macpherson, Toronto Star

three, is that no conceivable contract (except Rousseau's notional Social Contract binding the citizen to the state) can be enforced on a person who is not a party to it. If I and the reader of this article signed an agreement, witnessed by the Pope himself, that the editor should pay for our supper, the editor could tell us to go to hell. That is what the Arabs have been telling the Jews ever since 1922.

The British, obviously, had no moral right to make the Balfour Declaration. The assumption which both Balfour and Weizmann made in 1917, however, was that Britain would in practice have the responsibility to decide what should be done with the Ottoman Empire, after Turkey's expected defeat. At the time, a League of Nations was not contemplated; the dismembered portions of both the German and the Turkish Empires would therefore be disposed of by the victors. That, after all, was the way it had always been done. Weizmann accepted it and evidently approved of it. (As late as the 1950s, an Austrian Socialist of my acquaintance in London, recognizing the dilemma of Palestine, asked me why Britain hadn't "given" the Jews part of Kenya.) If we can allow that the Balfour-Weizmann deal made

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some sort of political sense in the world of 1917, the fact remains that the only state that could be committed by it was Britain.

The terms of the League Mandate repeated the Balfour Declaration almost word for word, requiring "His Britannic Majesty" to put the 1917 undertaking into effect. The Mandate was certainly an international treaty, binding upon His Britannic Majesty and the League of Nations, but there was not at the time a single Arab state in membership of the League. The Jews, in due course, poured into Palestine, in good faith, believing Britain and the League had the right to invite them and would protect them against the natives, who outnumbered them many times over. The Mandate accounts for their presence there, and their presence there is now the strongest argument for their national existence. It is an argument of which I believe the Arabs today see the force. If the Mandate was a mistake in 1922, it was a mistake which cannot be rectified in 1974. But it cannot carry any legal authority with Middle East nations that were never consulted.

Israel's friends place greater reliance on the United Nations General Assembly resolution of November 1947, the effect of which was to create the state of Israel on the termination of the British Mandate the following May. All the Arab states which were U.N. members at the time voted against the resolution—Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen. Seven other states also opposed, while ten abstained. The affirmative vote was 33 out of the 59 recorded. After it was taken, King Faisal said: "The Government of Saudi Arabia registers, on this historic occasion, the fact that it does not consider itself bound by the resolution adopted by the General Assembly." Other Arab spokesmen made similar statements. The Pakistan delegate quoted the Koran: "We shall see the period of rise and fall as between nations. . . ."

Were the Arab members entitled to opt out of the majority decision? If the resolution is to be treated as some form of international covenant, clearly they were. International pacts bind only the nations which ratify them, in accordance with the normal law of contract. This is the case even with international labor conventions. The Charter of the United Nations certainly does not confer so much authority on any of its organs. The 1947 resolution therefore cannot be said to entitle the state of Israel to recognition by its neighbors in the Middle East.

The argument that United Nations resolutions should be binding on the members is seductive, but it can cut both ways. On the opening day of the Geneva conference, Ismail Fahmy, Egypt's Foreign Minister, in an unrehearsed outburst, lashed Eban for Israel's repeated "arrogant" defiance of the United Nations. Those of us who thought the attack unfair should reflect that a resolution passed when we and our friends had a majority in the General Assembly can have no more weight than others passed at a later date when the shoe was on the other foot. We must think very clearly about the sort of decisions that can be left to majority vote and the sort which can be enforced only if unanimously adopted.

It can be argued that Israel's admission to the United Nations in May 1949 itself implied recognition by all the other members. There is possibly more to this point, but if accepted it would mean in practice that a member which refused to recognize one other member, out of some 130, would have to withdraw from the organization. This is asking rather a lot, and would not be good for the United Nations.

In spite of all the arguments, I am sure the highly intelligent politicians who make up the government in Tel Aviv recognize the weakness of a case based on the Mandate and the 1947 vote. That presumably is one reason why Israel has always striven to bring the Arab states themselves to the conference table, rather than accept a settlement drawn up by the United Nations or some other "disinterested" party. If the Middle East blood bath has proved anything, it has proved again that international agreements, if they are to stick, must be drawn up by interested parties, not disinterested ones. The significance of Geneva is that Israel's persistence has now been rewarded. Ismail Fahmy and the Jordan Prime Minister, Zaid Al-Rifai, both spoke at times as if all they had ever wanted was to live at peace with Israel as a neighbor, choosing to forget the events of 1948 and the no war-no peace era which followed. Well, some things are wisely forgotten.

Where the "secure and recognized boundaries" are finally drawn remains to be seen. They will doubtless be pretty close to the pre-1967 frontiers, notwithstanding the strength of the right-wing opposition in Tel Aviv. If Israel had been offered recognition by the Arab states on those terms before the Six Day War, with treaties backed by the Security Council and the superpowers, it would have jumped at the offer. Those boundaries, after all, are much better than the 1947 United Nations frontiers. The decision will not be easy. Young people in Tel Aviv may well say, "Are we to gain nothing for all the sacrifices we have made, all the blood we have shed?" The answer is: "But yes. You have won independence for the state of Israel. You have established a national home for the Jews."

Of course, there is all this talk about "defensible frontiers." Are there such things any more? Frontiers have always been defensible if you had the weapons to defend them, and indefensible if you had not. That is true even of the Pacific Ocean. Redrawing maps as a security measure has been made almost pointless by the sophistication of modern war. We should not forget that this argument also cuts both ways. Egypt, too, is entitled to "defensible" frontiers, if such exist, and these would be a long, long way from the Suez Canal. All nations believe that the wars they fight, or might fight, are forced upon them for their self-defense.

If the struggle in the Middle East is resumed, Israel will need at least parity of armaments with its enemies, regardless of where its frontiers are drawn, because of its numerical inferiority. An old-fashioned war of attrition must lead inexorably to national extinction, since the Arabs could sacrifice ten men for every slain Israeli. Hence Tel Aviv would be well advised to rely, not on "defensible" frontiers or the four-times proven bravery

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of its young people, but on a fair settlement, legally binding on the Arab states and on the superpowers.

That is why America and Russia are at the peace table. "What right have *they* to be there?" demanded a colleague. "They are not belligerents." In point of fact, belligerents is exactly what they are, in everything but name. Wars today are contests between weapons systems rather than men. The warriors on both sides are merely servants of the ghastly machines whose monstrous forms face each other on the battlefield, in the skies and on the oceans, or indeed are hidden hundreds of miles away waiting to hurl death and destruction across empty space —the "defensible" frontier. The true confrontation is therefore between the makers of the machines. For every shipload of armor delivered by the Russians in Egypt, America has to deliver one in Israel. If either of the nominal belligerents is in danger of defeat, its ally has urgently to step up its supply of arms, a move instantly countered by a corresponding escalation on the other side. In October, Washington and Moscow suddenly realized to their horror that they were at war in every respect except the identities of the humble soldiers who pushed the buttons or pulled the levers of their murderous inventions. It had to stop.

There are many tough obstacles ahead, notably the problems of Jerusalem and the Palestinians, but in principle I believe the Middle East war is over, bar the shouting. We shall still hear plenty of that. □

CRISIS IN BRITAIN

REALITY BEHIND THE APPEARANCE

RAYMOND WILLIAMS

Cambridge, England

Great Britain is starting the new year on a three-day working week. It is a situation very difficult to believe, and for one good reason: in this form, the crisis is wholly artificial. Indeed, the difficulty of understanding the surprising things that are now happening in Britain is mainly a matter of distinguishing appearance from reality. The crisis is real enough, but its official presentation is mostly false.

Thus, the immediate cause of the restriction of most industry, shops and offices to a three-day supply of electricity in each week is said to be a shortage of fuel stocks at the power stations. Yet it has been calculated that stocks are at least as high as in the equivalent month in any of the last five years. It is true that they will now decline more rapidly, because the miners have been working their normal five-day week and refusing overtime, in support of a wage claim. Moreover, most of the train drivers are working to rule, and the engineers in the power stations have also been restricting their work to normal hours. It is an extraordinary commentary on the organization of the economy that these key workers have only to pull back to their basic hours to produce apparent chaos.

Apparent chaos. For the real chaos will be caused if the government persists in its decision to impose a three-day week. It says it is doing so to protect continuity of supplies, but the real reason seems to be a deliberate escalation of the crisis, to put pressure on the miners. Overtaken by events, and with its central policy, as we shall see, in ruins, the Conservative government, or part of it, has seemed determined at any cost to inflict a defeat on this most militant section of the British working class.

Raymond Williams, the distinguished social critic and historian, has for some years been The Nation*'s London correspondent. His latest book is* The Country and the City *(Oxford University Press).*

The story began in the early autumn when the government announced Phase Three of its prices and incomes policy. At that time, before the Middle East war, the central strategy was to continue a program of economic growth, taking the inevitable risk of balance of payments deficits, which it was hoped could be covered by the relatively large reserves. World commodity prices, it was hoped, would begin to turn down through 1974, by which time the expansion would be assured. In this context, an improved but still restricted rate of wage settlements was fixed, with some allowances for special cases, including the miners. But the inflation caused by the policy of growth and its expansion of monetary credit, and further by the rise in world prices, made most of the unions unwilling to settle. The stage of the electoral cycle was also relevant: the unions were already looking forward to a Labour government. It is difficult to be sure, but my reading of the early autumn is that, in general, the unions took the offensive; they were not interested then in a deal. At that point the government decided it could take them on and defeat them.

Then came the real shocks. The October payments deficit was huge, the largest ever, at a monthly rate which would exhaust the reserves in about six months. The November deficit was almost as bad. At the same time, the increase in oil prices wrecked the careful calculations about the future cost of imports. A calculated risk had blown up in the government's face. At this precise point, the combined effect of the Arab restriction on oil supplies and the miners' ban on overtime produced the certainty of an eventual power shortage. The general crisis was infolded and complicated to an extraordinary degree.

Before looking at the political results, one must distinguish three kinds of crisis, which indeed interact but which have real differences in form and content. The most serious is that in the balance of payments: already critical without the oil price increases; virtually insoluble, in present terms, now that the oil price has doubled and doubled

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again. The shortage of oil supplies would in any case have been critical, since large parts of the economy have converted to oil, especially in the last ten years (incidentally, against continuous and informed objections from the miners). And the struggle between the government and the unions would have been tough enough on its own.

Thus we have the coincidence of three crises, but the government, to cover the collapse of its central policy and to try to gain political advantage, is attempting to reduce three to one: the struggle with the unions. A propaganda campaign has been launched against the left wings of the unions, and there is talk of a snap election on the issue of "the strikes," as they are falsely called, and the "unconstitutional" power of the militants. It may all still happen that way. The imposition of a three-day week is finally explicable only within that strategy.

But it has alarmed very many people, and not always in ways that the government wants. For example, it has been calculated that the loss of production in a three-day week would be 800 times greater than the cost of settling

Jon, London Daily Mail

"They Say the Comet Is Just a Chunk of Ice and Frozen Gases"

with the miners. For some weeks now there has been an intense effort to find a formula to settle with the miners on terms that could be represented as falling within Phase Three. Important groups in the government and among industrial employers want to see this happen. In so fluid a situation it is difficult to make predictions, but the probabilities are that the formula will be found, at any time now, and the three-day restriction will then be lifted. It will be widely said that the crisis is over.

But the real crisis will be only just beginning. It is true that if, by some final rigidity, a formula is not found, the resulting immediate confrontation, especially if it is broadened to a crisis election, will be spectacular. But there is greater danger to the system in the long run. As the real economic crisis works through, the decisions that will have to be taken will be quite fundamental.

For the last year the political situation has been extremely unstable. The two large parties, Conservative and Labour, are almost equally distrusted; the Liberals are constantly on the edge of turning the electoral process into a three-party system. The possible political combinations and effects are unprecedented. But much of this will be on the surface; the real movements will be deeper.

For there is a further twist to the situation. In the next election, and in the one after that if Labour should win the first, membership of the Common Market will be a key issue. There is still a strong popular majority against membership, and the oil crisis has added strains: calls for solidarity with Germany and Holland are very far from popular. Here too there is a long-term issue which has suddenly increased in importance. The paradox is that Britain, now so evidently weak, could by 1980 be unusually strong in Europe. By then, something like its present imports of oil could be coming from its own sources in the North Sea. Its coal production could be the largest in Europe. In a world starved of energy, Britain could be in sight of self-sufficiency, or could solve its payments crisis by energy exports. This makes Common Market membership much more than a calculation about food prices and car imports; it alters the whole picture.

But there is a social crisis contained in that. The present shortage of Arab oil, from which Britain as a "friendly power" is supposed to be excepted, is being handled not by governments but by the international oil companies. The same would be true of North Sea oil, although it is both Labour and Liberal policy to nationalize it. That struggle is going to be both momentous and dirty, and very complicated international issues will be immediately at stake.

Thus we are entering on what is bound to be a period of prolonged crisis. The strains in the society are already severe. A broad central band of political opinion will attempt, as now, to hold things together, but the signs are that this Center is failing, except in the very short run. In the next five years, some substantial political realignment seems inevitable, but the consequent struggles could be very tough indeed.

Meanwhile, on a three-day week, and among general cries of alarm, there is a remarkable buoyancy. Inside the general failure, people are extraordinarily resourceful and inventive and in a strange way confident. Christmas was celebrated at a record level of spending. The English, in the eyes of the world, may again be going mad, but there has been, for so long, such frustration of energy, such cynicism and resignation, that this turn of events may continue to have its surprises. The issues have come together with a force and clarity that would have seemed improbable if it had been written as a scenario. The problem will be to retain the force and the clarity, against all the efforts of a dying system to confuse us again into the same miserable consensus which has produced this crisis. □

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SECRET SPENDING

DARK CORNERS IN THE BUDGET

LOUIS FISHER

Washington

No longer is the federal budget considered a static accountant's document. Ever more frequently it is described as a vital, dynamic statement of public priorities, an instrument for marshaling national resources for stated goals, and an annual measuring rod of our progress toward them.

That attitude is prominently displayed in Presidential budget messages. In 1965 Lyndon Johnson said that a budget is "a plan of action. It defines our goals, charts our courses, and outlines our expectations." The concept of a budget standing as the embodiment of democratic aspirations was summed up nicely in Richard Nixon's 1973 budget message. "This budget," he declared, "concerns itself not only with the needs of all people, but with an idea that is critical to the preservation of democracy: the 'consent of the governed.' "

Statements of that type are hearty endorsements of democratic government. And yet in practice we find upward of $10 billion to $15 billion obscured in the budget because of confidential funds, secret funds or poorly justified budget presentations. Taxpayers are frequently in the dark as to how funds are appropriated and how they are spent. In many cases members of Congress are no more knowledgeable about the use of public funds. Nor is Congress' auditing arm, the General Accounting Office; existing law substantially restricts the range of GAO audits.

From these introductory remarks it would be a mistake to reach the conclusion that secret funding is totally incompatible with representative government. The framers of the American Constitution were not innocents in this matter. Given the war with England and the operations of the Continental Congress, a measure of secret funding was deemed necessary in diplomatic and military affairs. John Jay said as much in *The Federalist* 64: "It seldom happens in the negotiation of treaties, of whichever nature, but that perfect *secrecy* and immediate *dispatch* are sometimes requisite. There are cases where the most useful intelligence may be obtained, if the persons possessing it can be relieved from apprehension of discovery."

To avoid compromising negotiators or embarrassing the nations involved, Congress provided the President with a fund over which he could have complete control. As early as July 1, 1790, Congress appropriated $40,000 to pay for special diplomatic agents, leaving to the President the decision whether to make the expenditures public. Congress continued that fund in 1793 for the purposes of intercourse or treaty with other nations. The President was allowed to make a certificate of such expenditures, with each certificate "deemed a sufficient voucher for the sum or sums therein expressed to have been expended." Certificates simply state that funds have been spent, without supplying invoices, etc. Reliance on certificates, instead of vouchers, was a departure from standard auditing and accounting practices.

From this modest precedent the use of confidential funding has mushroomed. It now covers, for fiscal 1973, twenty different appropriation accounts, only one of which bears directly on diplomatic activities. Generally one can find the confidential fund clearly marked in the appropriation bill. For example, the account "Operation and Maintenance, Defense Agencies," for fiscal 1973, included $4.316 million to be used for "emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payment may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government."

A little more difficult to find is a $200,000 confidential fund for the District of Columbia Chief of Police. Language in the fiscal 1973 appropriation bill merely states that the "limitation on expenditures of funds by the Chief of Police for prevention and detection of crime during the current fiscal year shall be $200,000." To learn that that is a confidential fund, handled by certificates rather than vouchers, one has to trace the legislative history back to a 1960 act. Similarly, language in the fiscal 1973 appropriation bill for the State Department sets aside $2.1 million for "Emergencies in the Diplomatic and Consular Service." Only by cross-checking a reference to the U.S. Code does one learn that the funds can be accounted for by certificates rather than vouchers.

Unvouchered expenditures are often justified by the executive branch as necessary to pay informers, such as in the FBI, Bureau of Narcotics and Dangerous Drugs, or the Immigration and Naturalization Service. In other areas the use of confidential funds has been challenged. Rep. Bob Eckhardt (D., Tex.) offered an amendment in 1973 to delete the $15,000 confidential Coast Guard fund. To the suggestion that members of Congress should have faith in the integrity of executive officials, Eckhardt countered: "I am sort of losing faith in the officers of the government who are permitted to expend money without the General Accounting Office having any authority over the matter, and I am particularly losing faith in such investigations by officers of the government unless we know what it is all about." The House adopted the Eckhardt amendment by voice vote. Both the Senate and the conference committee supported that position, eliminating the $15,000 fund from the Transportation appropriation bill.

Eckhardt also attempted to delete a $100,000 confidential fund for the Atomic Energy Commission. His

Louis Fisher is the author of President and Congress *(Free Press). He has previously contributed to* The Nation.

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amendment prompted the two ranking members of the appropriations subcommittee handling the bill—Reps. Joe L. Evins (D., Tenn.) and John J. Rhodes (R., Ariz.)—to develop some legislative history. They stated their belief that the Comptroller General could look behind the certificate of an AEC chairman to make sure that the matter was actually of a confidential nature. With that assurance Eckhardt withdrew his amendment.

Confidential funding for the "White House Office, Special Projects" account dates back to a 1955 request by Budget Bureau officials, who wanted a separate fund to finance projects that cut across several agencies or departments. That might have been adequate justification for a separate fund; it did not, however, explain the need for confidentiality.

From an initial level of $1.25 million for fiscal year 1956, the Special Projects account generally remained at a level of $1.5 million each year. During hearings in 1973 by the House Committee on Appropriations, Rep. Edward R. Roybal (D., Calif.) asked White House officials if the Special Investigations Unit (the so-called "plumbers" group) had been financed from the Special Projects account. The committee requested the Office of Management and Budget to furnish a list of individual vouchers and expenditures for the account. When the Administration declined to supply the information, the committee deleted the entire budget request of $1.5 million.

The Senate Committee on Appropriations restored $1 million, inserting a requirement to provide both Appropriations Committees with quarterly reports of a "detailed accounting" of expenditures from the Special Projects account. When the bill reached the floor, Sen. Walter Mondale (D., Minn.) offered an amendment to strike the $1 million. He spoke of the Watergate development, which "opened up for the American public to see the tremendously dangerous tendency that exists when we grant, without specification, without control, without information, substantial funds to the White House which are used by them behind the protection of executive privilege and the separation of powers to do as they please."

In the Senate, the Mondale amendment was defeated by a 52-to-36 vote. Nevertheless, in joint conference it was agreed to delete all funds for the Special Projects account. No funds for that purpose were included in the Treasury-Post Office appropriation bill signed by President Nixon.

Eckhardt offered a more general amendment in 1973 to the State-Justice appropriation bill. He proposed that expenditures made solely on the certificate of an executive officer be subject to the scrutiny of the Comptroller General, who would determine whether the expenditure was indeed of a confidential or special nature. The amendment was rejected on a point of order as being legislation on an appropriation bill. Eckhardt also introduced the same proposal in bill form (H.R. 10250), to allow the Comptroller General to examine confidential expenditures and to report any apparent irregularities to Congress.

Confidential funding is overt to the extent that such funds are cited in appropriation accounts. In this sense, the appropriation is public while the expenditure and auditing are concealed from Congress and the public.

Secret funding, in contrast, is covert at all stages: from appropriation straight through to auditing. Secret funds have been used in past decades, but only on infrequent occasions. The best known example is the financing of the atomic bomb during World War II.

That record is in sharp contrast to the current funding of the U.S. intelligence community, a permanent fixture which now receives about $6 billion a year. A *Newsweek* study offered that estimate in 1971, as did Sen. William Proxmire (D., Wis.) in a statement placed in the *Congressional Record*, April 10, 1973. Proxmire estimated $2.8 billion for Air Force intelligence, $1 billion for the National Security Agency, $775 million each for Army and Navy intelligence, $750 million for the Central Intelligence Agency, and lesser amounts for other agencies and departments.

The issue is not one of illegality. Ample statutory authority exists for covert funding of intelligence activities. The Central Intelligence Act of 1949 authorized the CIA to transfer and receive from other government agencies "such sums as may be approved by the Bureau of the Budget" for the performance of any functions or activities authorized by the National Security Act of 1947. The transfer authority compounds the problem of budget oversight for Congress and the public. Appropriation accounts are in a state of constant flux as funds are shifted back and forth. Members of Congress may vote for a certain appropriation, but at some later point—at the obligation and expenditure stages—the funds are spent in some other agency for some other purpose.

What is involved, then, is the artificial inflation of several accounts in order to conceal funds for the intelligence agencies. When members vote for various programs in the defense budget, they have no way of knowing whether a portion will be siphoned off later to the CIA or to some other agency. As Sen. Alan Cranston (D., Calif.) said during debate on August 1, 1973: "Since we do not know what the overall figure for the CIA is, every other figure in the Defense budget is open to suspicion as to its accuracy. In order to conceal within the Defense budget the overall CIA figure, every other figure is susceptible to being padded, and certain figures are padded. As a result, we have no idea what the figures really are, whether for the C-5A, the B-1 bomber, the Trident, or for military housing. We do not know whether those figures are accurate or inaccurate."

Publication of the aggregate budget figures for each intelligence agency, or for the entire intelligence community, would be one way to protect the integrity of other budget figures. Related to that reform would be a prohibition on the transfer of funds back and forth between intelligence agencies and other agencies.

Would such steps jeopardize our national interests? CIA Director William E. Colby, during his nomination hearings before the Senate Armed Services Committee, was asked that question by Sen. Stuart Symington (D., Mo.). Was there any reason why overall budget information, or even a breakdown of the intelligence budget into its major categories, would endanger national security if made public? Colby replied that the question was basically up to Congress, adding that he had found that Congress

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was "at least as responsible on this as our friends elsewhere in government, and we have, as you know, shared with Congress some very sensitive material which has been successfully protected by the Congress." Colby volunteered the view that the American constitutional structure might require publication of more budget information than might be convenient from a narrow intelligence point of view.

In responding to prepared questions from Proxmire, as to the degree to which the intelligence community budget could be made public, Colby said that disclosure of the total figure would not present a security problem. The chief concern to Colby was that disclosure of the total was "likely to stimulate requests for additional detail." No doubt it would, but should Congress (and the public) be satisfied with a $6-billion lump sum funding of the intelligence community?

James R. Schlesinger, Colby's predecessor as CIA director, was asked about the CIA budget during his nomination hearing as Secretary of Defense. Sen. Harry F. Byrd, Jr., Independent from Virginia, inquired whether it might not be appropriate to make available to the public the total amount of funds appropriated to the CIA, with major, but not detailed, breakdowns. Schlesinger said that it might be an "acceptable procedure" to indicate the total figure of the national intelligence program. He expressed misgivings only at the thought of having a "free floating figure, unsupported and unsupportable in public," with only the Congressional oversight subcommittees aware of the details. Such a situation, Schlesinger warned, might invite flat percentage cuts. Still, he admitted that the security concerns in publishing a gross figure for intelligence activities were "minimal."

Pressure for public funding of the CIA has been building from yet another source: the courts. William B. Richardson, who has initiated these suits, contends that the Central Intelligence Act is in violation of the Statement and Account Clause of the Constitution. This clause calls for a "regular Statement and Account of the Receipts and Expenditures of all public Money . . . published from time to time." Richardson wrote the Government Printing Office in 1967 to request the documents which would satisfy that clause. He examined available Treasury documents but could find no listing of CIA operations. His administrative remedies exhausted, he turned to the courts. In 1968 a U.S. District Court in Pennsylvania held that Richardson lacked standing to raise a justiciable controversy. The U.S. Court of Appeals for the Third Circuit affirmed that holding a year later. The U.S. Supreme Court denied *certiorari*; only Justice Douglas supported Richardson's motion for review.

Richardson initiated a new suit in 1970, this time asking that a three-judge court be convened to determine the constitutionality of the CIA Act. Once again the District Court decided he lacked standing. His appeal on this occasion, however, was successful, for on July 20, 1972, by a 6-to-3 vote, the Court of Appeals directed that a statutory three-judge court be designated to adjudicate the issue. Judge Max Rosenn, writing the opinion, underscored the importance of the Statement and Account Clause of the Constitution: "A responsible and intelligent taxpayer and citizen, of course, wants to know how his tax money is being spent. Without this information he cannot intelligently follow the actions of the Congress or of the Executive. Nor can he properly fulfill his obligations as a member of the electorate. The framers of the Constitution deemed fiscal information essential if the electorate was to exercise any control over its representatives and meet their new responsibilities as citizens of the Republic."

The U.S. Supreme Court agreed to review the procedural aspects of the case, i.e., whether Richardson had standing to request a three-judge court. A separate writ of *certiorari* by Richardson, urging the Court to examine the substance and constitutionality of the issue, was rejected. On October 10, 1973, the Supreme Court set aside an hour to hear arguments by Richardson and the government. The matter is still under review.

Beyond the question of confidential and secret funds lie other veiled areas of the federal budget. The Federal Reserve System, which spends close to half a billion dollars a year, undergoes no audit by the GAO. Nor are its funds even appropriated by Congress. Instead, it pays for its operations under a kind of "back-door financing" system. By buying and selling government securities held in its portfolio, the "Fed" derives income from interest on the bonds.

Federal Reserve earnings in calendar 1972 came to $3.8 billion, almost all of it derived from interest on securities. Total expenses of Federal Reserve banks amounted to $414 million. Other costs, such as $46 million in dividends to member banks, were also incurred. What was left from the earnings—$3.2 billion—was transferred to the Treasury.

Rep. Wright Patman (D., Tex.) has introduced a bill (H.R. 10265) to provide for a GAO audit of the Federal Reserve Board, banks and branches. Hearings were held on October 2 and 3, 1973. The GAO, which in past years had remained neutral to the proposal, has now endorsed the general thrust of the Patman bill. Comptroller General Elmer Staats told the House Banking and Currency Committee that in view of the "highly important part the Federal Reserve System plays in the nation's system of money and credit, we have concluded that there should be a GAO audit of the Federal Reserve Board and the Reserve banks."

Still another dark corner of the budget is the financing of the Vietnamese War. Announcements by President Johnson and his administration created the impression that the Philippines, Thailand, South Korea and other members of the "Free World Forces" had volunteered their assistance in resisting aggression in Southeast Asia. Congressional hearings and GAO investigations later disclosed that the administration had offered sizable subsidies to those countries. (See Fisher: "Executive Shell Game: Hiding Billions from Congress," *The Nation*, November 15, 1971.)

The practice of covert funding was continued by the Nixon Administration with its secret bombing of Cambodia in 1970. Even today, after American troops have been withdrawn from Vietnam, members of Congress still complain about inadequate budget justifications. When

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the House Committee on Armed Services reported out the military authorization bill in 1973, Robert L. Leggett (D., Calif.), Patricia Schroeder (D., Colo.) and Ronald V. Dellums (D., Calif.) said that the military assistance program for Vietnam and Laos had been "pro forma justified" to the committee. They claimed that "all of the backup figures for the $1.185 billion allegedly justified are Secret Classified. I haven't seen the figures and the committee has no idea what program is justified in this item."

Budgeting in a democratic society is expected to satisfy such fundamental standards as visibility, clarity, explicitness and comprehensiveness. Only through adherence to those standards is the public able to judge and to exercise control over the activities of their own government. As James Madison noted in *The Federalist* 58: "This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure." Without public knowledge and without public debate we have traveled far from that basic underpinning of democratic government. □

THE MONUMENTAL NON-EVENT

WIND-UP OF THE CHICAGO 7

JON R. WALTZ

Chicago

I suppose I expected William Kunstler's telephone call. It came early on the morning of November 16 last year, the Friday before Thanksgiving. One of the country's most bizarre litigations, the case of the Chicago Conspiracy 7 (or was it 8? 4?) was in its last, meaningless gasp: all that was left were a few of Judge Julius J. Hoffman's citations for contempt against some of the defendants and their lawyers, Kunstler and Leonard Weinglass.

My name had come up in the courtroom when John M. O'Brien, the largely self-assigned spy from the 113th Military Intelligence Group, had testified with more gusto than credibility about surveillance activities involving the defendants, their lawyers and me. (According to O'Brien, who reminds one of a defector fearful of losing his value as a witness in espionage trials unless he can constantly inflate his testimony, I had earned a dossier because Kunstler and Weinglass were known to have consulted with me about some technical evidentiary problems prior to the Chicago 7 trial.) Now Kunstler wanted me to appear as the contempt defendants' last witness, to tell what I knew about O'Brien's claimed activities, to describe the atmosphere of a trial in which the presiding judge had found it possible and worthwhile to issue 159 contempt citations and, perhaps most important, to show that a lawyer with an Establishment background could for good reason stand up on the defense's side of the courtroom.

Kunstler and I met in an out-of-the-way corner of the Everett McKinley Dirksen Federal Building after November 16th's morning session. We walked to the Palmer House for lunch in the basement coffee shop. Kunstler was tense—he is a celebrity in Chicago and people walked halfway around the restaurant to get a look at him before paying their checks—and he couldn't finish his hamburger. We discussed the testimony that I felt I could properly give. There was time before the afternoon session for Kunstler, the radical movement lawyer, to try on an expensive new suit at Brooks Brothers (his hair, what's left of it, is still long, though). Then we returned to the Federal Building, he to finish up his examination of Jerry Rubin and me to wait in a cold (they were heeding Mr. Nixon's energy-conservation suggestions), littered witness room.

It was mid-afternoon before I was called into the courtroom. As I pushed through the double doors it was like being transported back four years in time. The process of time reversal had knocked some things askew. The courtroom was packed, as it always had been during the original trial, but now there were not as many media representatives in the spectator section and, because Bobby G. Seale was out of the case that he never should have been in, there were not many blacks on the long wooden benches. And the defendants were off to the left side of the courtroom, clustered around the table next to the empty jury box. Four years ago this had been the exclusive territory of federal prosecutor Thomas Foran and assorted assistants. Now a different set of prosecutors was at the right-hand counsel table, near the side door through which the bound, gagged, grunting Seale had been hauled by unhappy black marshals at Julius Hoffman's orders four years earlier. The lead prosecutor in this trial was Gary Starkman, hired by the new U.S. Attorney, James R. Thompson, not because Starkman had worked a precinct well or was related to a clouty politician but because—like the rest of Thompson's admirable staff—he is a competent and hard-working professional.

And Julius J. Hoffman was not on the bench.

I paused at the front of the spectator section as Kunstler and defense lawyer Morton Stavis discussed a request from the judge, Edward T. Gignoux, whom Chief Justice Burger had sent from Portland, Me. to handle the contempts and hear his last name mispronounced twenty different ways. Now I began to realize that I had by no means gone back in time to the old Hoffman days. This judge—tall, athletic-looking, preceded by an enviable reputation—was smiling. He spoke to Kunstler in a firm but modulated

Jon Waltz is a professor of law at Northwestern University School of Law in Chicago. His specialty is the law governing the conduct of trials.

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and not unfriendly voice. He was not whining. He did not sneer, nor was he sarcastic. He engaged in no time wasting and exacerbating games of one-upmanship. Julius Hoffman had been replaced.

Glancing at the defendants I could reconfirm that some years had passed. Jerry Rubin was still trying to look like a kid, but not making it. Rennie Davis, having gotten religion from the East, was trying unsuccessfully to correct his lotus position (hard to do in one of Mies van der Rohe's chairs). David Dellinger looked as though he had been ill; he was overweight, pasty-faced, disheveled, worried. The only face and form at the defense table that had not changed much were those of Lenny Weinglass.

Kunstler motioned me forward and the clerk administered the oath. Now Kunstler, leaning against the lawyers' podium in just the way that Judge Hoffman had repeatedly told him to avoid, began his questions and I realized that I had never before been a witness. They say lawyers are the worst courtroom witnesses. I tried to be responsive and stay within the rules of evidence.

I tried to re-create in words the oppressive atmosphere of Judge Hoffman's courtroom and to describe the endless stream of carping, demeaning repartee with which he turned that courtroom into a sort of bear pit. Judge Gignoux, nodding, let me contrast Hoffman's treatment of Kunstler and Weinglass with the treatment that I and other trial lawyers of Establishment credentials had always been accorded. Finally, I was able to describe the galvanic effect on Kunstler, Weinglass and the white defendants of Hoffman's gagging and shackling of Bobby Seale. I was turned over to Gary Starkman, one of my former students, for a friendly cross-examination. And then the Judge was saying that he hoped everyone would have a pleasant Thanksgiving.

Chicago did not take this rerun of the conspiracy case very seriously. On Sunday, October 28, the *Tribune* wrote in a page-4 story of the "Chicago 7 plus 2 [bringing] its act back to town," as though the defendants had been booked into Mister Kelly's instead of ordered to stand trial for their half-forgotten courtroom conduct—conduct that had once been thought by some to threaten the very foundation of our judicial system. The times have changed. (Driving through the Loop on that rainy Sunday afternoon I had seen Kunstler and a young woman wandering along, looking at all the new heat-leaking glass and steel buildings that had gone up since the conspiracy trial ended in February 1970. A well-dressed passer-by recognized the lawyer and shouted a friendly greeting.) The contempt trial began on Monday, the 29th.

The contempt citations were all that was left of what Judge Hoffman had hoped would be "the trial of the century." On January 4, 1973, a few months after the U.S. Court of Appeals had reversed the defendants' criminal convictions—mainly for the improper courtroom conduct of Judge Hoffman and the prosecutors—the Justice Department announced that there would be no retrial of the substantive charges because it had more important fish to fry. Things had apparently been slower around the Justice Department in the late 1960s when John Mitchell decided to forge ahead with the Chicago 7 prosecution.

The contempt trials had opened very quietly. U.S. Attorney James R. Thompson put in only a brief appearance to present an opening statement. The prosecution, he said, had "no passion, no fury, no motives and no political goals to achieve." Then he left the case in the hands of two of his most junior assistants. They had whittled the case down to 52 "rock solid" counts of contempt. (The Court of Appeals had already thrown out some of Judge Hoffman's 159 citations.)

It took the prosecution only minutes to put in its case. It simply offered into evidence the 23,000-page transcript of the original trial. The defendants had then moved for the immediate dismissal of all counts, many of them involving the defendants' refusal to stand up when Judge Hoffman entered what he persisted in referring to as "his" courtroom. The defendants argued that the trial judge's prejudicial conduct, for which he had been soundly rebuked by the appellate court, and the political pressures surrounding the original trial, excused their occasionally obstreperous conduct.

On Saturday, November 3, Judge Gignoux dismissed all contempt counts against Lee Weiner and John Froines (remember them?) and a number of the counts against the other defendants. He said he wanted to think some more about the motions directed to the counts against Kunstler and Weinglass. On the following Tuesday the defense began introducing its case. No folk singers this time; no Allen Ginsberg. Leading off was former Atty. Gen. Ramsey Clark, a spiritless witness decked out in blue jeans and a wrinkled sport coat whose credibility had been damaged a few days earlier when he publicly and inexplicably denounced Thompson for having called the convicted Spiro Agnew a "crook."

There was a break in the trial on Wednesday when Judge Gignoux dismissed four of the five charges against Weinglass and three of those against Kunstler.

The trial made the front pages on November 13 when John M. O'Brien tried his best to transform the case into an Ellsberg caper. O'Brien, a former staff sergeant assigned to the 113th Military Intelligence Group, testified vaguely about efforts to "infiltrate" the defense's staff of volunteers, who had plugged away in a rented office near the Federal Building. O'Brien impressed the reporters more than he did Judge Gignoux, who later announced that his testimony was unbelievable.

The defense called U.S. Attorney Thompson to the stand. He promptly surprised them by stating that Acting Attorney General Bork, backed by two recent occupants of Justice Department offices, Elliot Richardson and William Ruckelshaus, had favored dismissing the contempt charges, but that he, Thompson, had talked Bork into going forward with them because "at a time when everyone in the nation was expected to follow the law, from the President on down, it was not too much to expect the defendants to obey the law, too."

After the Thanksgiving recess the government put in its rebuttal evidence, aimed mostly at discrediting the irrelevant Mr. O'Brien. Thomas Filkins, who had headed the 113th Military Intelligence Group, was flown back from Korea to testify that the Army had "monitored" the Chicago 7 trial, just in case any riots broke out, but had not spied on the defendants or their legal counsel during off-hours. O'Brien, he said, "exaggerates a lot."

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Thomas Foran, who had prosecuted the 7, appeared on the witness stand long enough to brand Kunstler a "cheerleader" of courtroom disturbances during the original trial. On cross-examination Foran conceded that he had engaged in a good deal of name-calling himself.

On December 4 Judge Gignoux acquitted Rennie Davis, Tom Hayden and Weinglass on all counts. David Dellinger, the hardest hit, was convicted on seven counts; Jerry Rubin, Abbie Hoffman and Kunstler each was convicted on two counts. Two days later, while a block down the street the dean of the DePaul College of Law was forgetting to introduce Judge Hoffman at a luncheon honoring former Chief Justice Earl Warren, Judge Gignoux, taking into account the "antagonistic" conduct of Hoffman and the prosecutors, refused to impose any sentence on those he had convicted of Hoffman's charges. The Judge's implication was clear: Judge Hoffman's orgy of contempt citations had been a waste of time.

Except for William Kunstler's inevitable appeal (he is justifiably worried about disbarment proceedings if the two counts against him stand), this country's most grotesque ritual political trial had now wound to an end. And what shall it have profited us?

We learned a few things, I suppose—or learned them, for a time, over again. We learned, as a distinguished study commissioned by the Association of the Bar of the City of New York will show as soon as it is published, that courtroom disruption is not and has not been a large problem, although any of it is too much. We learned, and again the New York study will provide additional proof, that wholesale use of the contempt power is a sign of judicial ineptitude. One of the large lessons to be drawn from the whole charade is that we have in this country a way of first misapprehending the importance of small events and then transforming them, at vast expense, into monumental non-events.

There is another and more important point. At times it seems that Richard M. Nixon and the mean and faceless men around him (let us exclude Henry Kissinger) have had only one clearly defined, fully implemented governmental policy—that of eroding the essential American spirit. The trials of the Chicago 7 have been called useless and foolish. Perhaps they were only foolish. To the extent that they helped to extinguish the spirit of the young and the young-minded, they can be said to have been a significant and calculated component of Mr. Nixon's baleful policy. □

THE WHITE MOUNTAINS

Must We Close Them To Save Them?

DANIEL FORD

Durham, N.H.

The White Mountain National Forest (WMNF) is a bit larger than the state of Rhode Island. Within its boundaries are more than 1,000 square miles of near wilderness, including some of the tallest mountains, some of the deepest woods and some of the purest streams to be found in the East. The U.S. Forest Service estimates that 60 million Americans now live within a day's drive of the White Mountains. To them must be added at least 5 million Canadians. Their combined numbers will increase to perhaps 110 million by the turn of the century, making the WMNF one of the most important and most vulnerable green belts in the world.

On a Forest Service map, the WMNF seems secure enough. It extends in a wide belt across northern New Hampshire and into the state of Maine. The Forest Service controls 82 per cent of the land within that belt, giving the WMNF far more integrity than most Eastern wilderness areas enjoy. Some of the missing 18 per cent is safe in the hands of the New Hampshire state park system, and some consists of private "inholdings" which can be absorbed in the future. There is a portion that can never be absorbed, however, for the simple reason that it is paved.

Daniel Ford is a novelist and journalist. His most recent book is The High Country Illuminator *(Doubleday).*

Three highways carve a gigantic *N* through the heart of the White Mountains, with the western leg gradually thickening into a four-lane, limited-access, Boston-Montreal expressway. These main roads have in places become miracle-mile developments to serve the tourist trade. In addition, the WMNF is pierced by dozens of lesser roads, including the Kancamagus Highway—a blacktop disaster maintained by the Forest Service, which traverses 32 miles of once remote mountain land.

As a result of these incursions, the White Mountain National Forest is not a single great wilderness. It is many small ones, and in none of them can a hiker place himself more than a day's walk from a paved road. The best he can do is enter the Pemigewasset "Wilderness" (the quotation marks have recently been added by Appalachian Mountain Club cartographers) and climb to the summit of Mount Bond. He will then be at the center of 90,000 acres of woods and mountains. But he will still be able to hear the traffic rushing along N.H. 16, U.S. 302, U.S. 3, and that damned Kancamagus Highway; and his own car will be parked no more than 7 miles away.

Somewhat smaller than the Pemigewasset area, but grander and busier, is the Presidential area to the north. This demi-wilderness contains about 70,000 acres. It is in the form of a rectangle, so that no point within it is more than 4 miles from a public road. Its central peak can be reached both by automobile and by railroad car. Mount Washington is a pygmy among the moun-

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tains of the world. Still, there is nothing taller within 800 miles, nothing east of the Rockies to equal its grandeur, and no finer example anywhere of man's contempt for nature. Mount Washington may be ascended by limousine, car or train, or on foot, with the footpaths carefully designated by splashes of paint. Whatever his means of ascent, the visitor may be disappointed when he reaches the summit—if indeed he can find it. The high point, 6,288 feet above sea level, is identified by a bronze marker. It is somewhat hidden, however, by a weather observatory, a TV station, a transmitter building, a limousine office, a water tower and two large structures which used to be hotels but now contain tourist facilities and quarters for state park personnel.

The Forest Service is not responsible for this alpine slum; it is controlled by the New Hampshire Division of Parks. The state inherited the mess from Dartmouth College, and Dartmouth bought it only to save the peak from worse depredations. Man himself is the villain.

On the record, though, it is doubtful that any public or private agency would have done any better by the summit of Mount Washington. The State Division of Parks operates a highly profitable ski resort on Cannon Mountain, in another demi-wilderness of the WMNF. The Forest Service, while not itself in the ski business, has leased out several mountains for that purpose. The loveliest are Wildcat, just across the highway from Mount Washington, and Tecumseh in the Waterville Valley area. And the Forest Service has matched the state park system—flush toilets and all—in expanding the campgrounds under its control.

Then there is the Appalachian Mountain Club, which was largely responsible for the creation of the National Forest in the first place, and which therefore enjoys a kind of extraterritoriality within it. The AMC operates nine huts in the mountains and a lodge at Pinkham Notch. Each supplies running water, hot meals, bunk beds, even paper sheets—for a fee that can amount to $18 a day. The hut system enables a hiker to cover large sections of the Appalachian Trail without carrying anything heavier than a toothbrush and his billfold. It also enables the AMC to earn a considerable amount of money. Servicing the wilderness lover is a big business, and club publications often sound like a report to the stockholders: "1971 was another record year, with more than 30,000 hikers spending a night in a hut and another 75,000 climbers stopping by during the day. Pinkham alone had more than 100,000 people pass through its facilities last year. Our budget, a quarter of a million dollars, reflects the above use and shows the amount of money involved in our operation."

The hut system supports an impressive bureaucracy at Pinkham Notch. Here, in the AMC Northern New England Regional Office, are an associate director, an operations manager, a planning director, an educational director and two assistants, a trails supervisor, a construction consultant, four full-time secretaries and three summer reservations clerks.

The AMC says that it will build no more mountain huts (just as the Forest Service says that it will build no more Kancamagus Highways) but one never can be sure. It is always possible to discover a need for expansion. The AMC has begun to open its huts for spring, fall and winter use, and just last year the club finished a handsome addition to its Pinkham Notch complex—along the highway, to be sure, but still within the national forest.

The U.S. Forest Service also has a regional office, located however in more civilized surroundings. (Heaven forfend that foresters should have to live in the woods!) At their headquarters in Laconia, N.H., the wilderness managers have attempted to measure the recreational pressure on the land under their jurisdiction. Their yardstick is the "visitor day"—one person using the national forest for a twelve-hour period. Twenty-four Boy Scouts on a one-hour hike will generate two visitor days of use. So will a backpacker who enters the forest at noon today and leaves it at noon tomorrow. Applying this yardstick to the recent past, the Forest Service has calculated that 3.1 million visitor days were logged in 1970. (This figure, and much of what follows, is from a 1972 draft copy of a *Guide for Managing the National Forests in New England*. The figures include not only the WMNF but also the smaller Green Mountain National Forest in Vermont.)

Recreational pressure will more than double in this generation. By the turn of the century, according to the Forest Service, 6.5 million visitor days will be logged by campers, motorists, downhill skiers, sightseers, hikers and "others." They are listed in order of decreasing importance. Still, the last category is an ominous one: it includes bird watchers and cross-country skiers, but it also includes those gentlemen and ladies in Buck Rogers uniforms who roar through the wilderness on snowmobiles and motorcycles. The "others" will account for 500,000 visitor days by the year 2000. Since it is unlikely that bird watching or even cross-country skiing will grow at that fast a clip, much of the increase must be attributed to off-the-road vehicles. And a convoy of twelve snowmobiles, raging for an hour through the Pemigewasset demi-wilderness, has logged only one visitor day.

With such visitors, who needs permanent guests? But the Forest Service operates on a concept of "multiple use," and recreation is but a single use: the WMNF is also a resource to be exploited by all comers. It yields trees to be turned into paper, water to be drunk by the thirsty megalopolis to the south, and minerals to be mined.

At present the loggers degrade the forest most seriously. Even a tourist can view the degradation—great geometric shapes cut out of the hillsides, making the ski resorts look like conservation areas by comparison. In 1970, 5.2 million cubic feet of timber were taken out of the national forests in New England and this harvest will rise to 9.2 million cubic feet by the turn of the century. One is tempted to call this a rape. The forests will increase very little in size, if at all, while the harvest will very nearly double: nine trees will be cut where five are being cut today. Still, this is careful management compared to what the great paper companies of Vermont, New Hampshire and Maine are doing to their own vast tracts of land. (The private holdings are so large, in fact, that it is a mystery why any commercial logging is permitted in the WMNF. Together with the Green Mountain National Forest, it contains only 2.25 per cent of the timberland in New England.)

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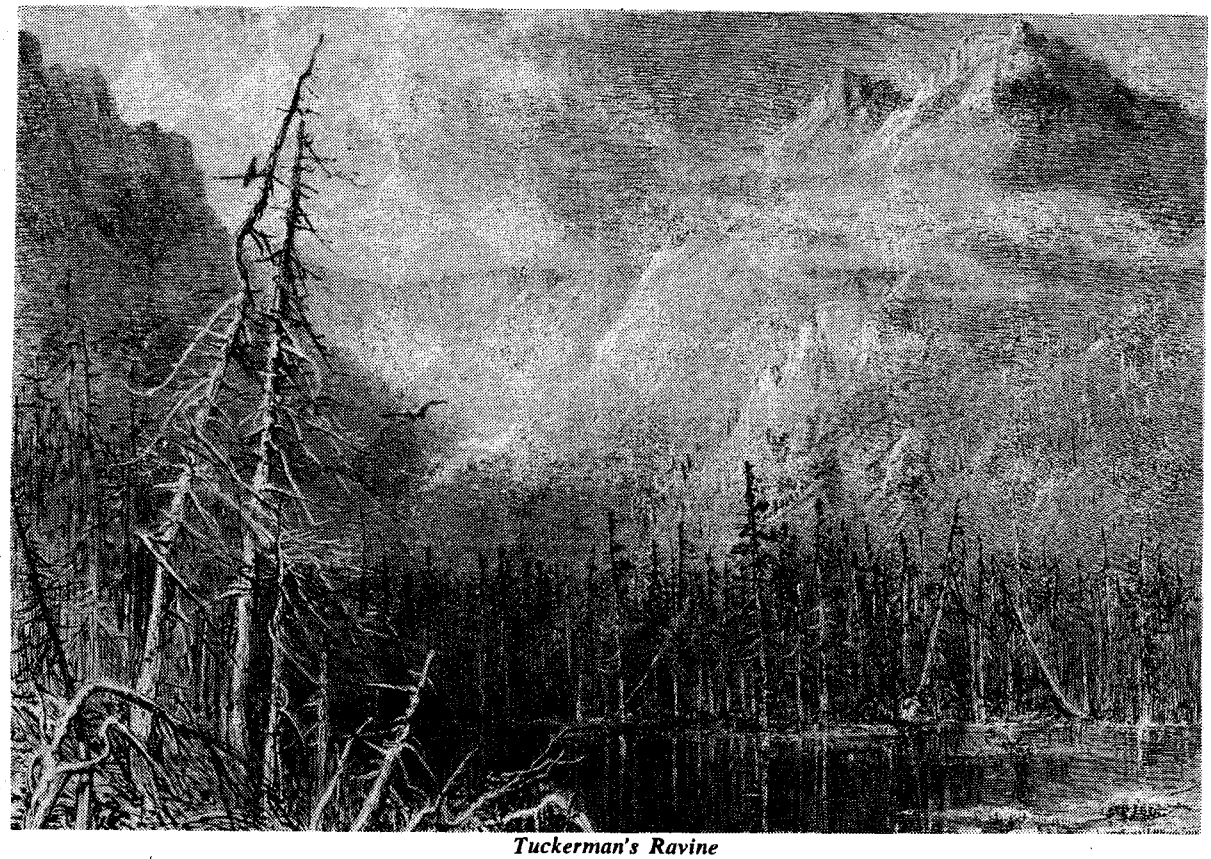

Tuckerman's Ravine

Luckily for the WMNF, it contains very few minerals worth the trouble to take out of the ground. Mining is a permitted use, however, and the national forest may not always be safe from the bulldozers. Among the mineral resources in the WMNF are large deposits of Conway granite, which contains thorium, used in fast-breeder nuclear reactors. If the Northeastern utilities ever make a large-scale conversion to nuclear power, there may be a thorium rush in the White Mountains.

The Forest Service has made what seems to be an honest and agonizing appraisal of the WMNF's future. "Input" has been sought from all those organizations and individuals with an interest in the wilderness—loggers, sportsmen, conservationists, and so on. The effect on Forest Service policy is not yet clear. Bureaucrats are bureaucrats, however, and once they have seized an idea they are not likely to let it go.

The idea is to divide the national forests into four "management areas." The multiple-use concept has not been abandoned, and will blur the boundaries somewhat, but the management areas can be defined as tracts of wilderness set aside for the enjoyment of: (*1*) loggers; (*2*) family campers, downhill skiers, picnickers and the like; (*3*) off-the-road vehicles; and (*4*) backpackers and cross-country skiers. The idea is a fetching one. The deep woods can be given over to the loggers. By the roadside, there will be well-developed areas for those who want civilization along with nature. The trail bikers and snowmobilers will have their own network of trails, and so will the backpackers and cross-country skiers.

In practice, however, the management-area concept leaves something to be desired. Sixty per cent of the WMNF will be given over to the loggers, leaving 8 per cent for intensive development, 16 per cent for the ladies and gentlemen in crash helmets and 16 per cent for the self-propelled traveler.

There is nothing to prevent a hiker from wandering through the other management areas, if he is willing to risk being struck by a snowmobile or a falling tree; but that is not wilderness travel. Only in the area set aside for him will he be able to enjoy the solitude that drew him to the mountains in the first place. In effect, he has seen the White Mountain National Forest shrink from 1,140 square miles to something on the order of 180 square miles. That is still a large tract of wilderness, is it not? Hardly. The WMNF, remember, is not one large forest but many small ones, and the management areas must likewise be cut into segments. The Forest Service is keeping very quiet about the geography of its plan, on the ground that debate should be centered on the concept and not on specific boundaries. But it is safe to assume that Management Area IV will include the fragile landscape above timberline, the 5,200-acre Great Gulf Wilderness, and other tracts where logging is not feasible or is forbidden by statute. It may be, in fact, that Management Area IV will work out to a narrow corridor along the Appalachian Trail, which jogs through 62 miles of the WMNF.

That is cold comfort for the wilderness lover. As it happens, the Appalachian Trail follows the spine of the White Mountains, and it is precisely this crooked path that is most heavily used by hikers and the organizations which serve them. All of the AMC huts—and its headquarters at Pinkham Notch—are on the trail or within a short walk of it. So are two dozen cabins,

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shelters and tent sites maintained by the AMC and like-minded organizations. Some of these areas are so popular that they have been equipped with tent platforms to accommodate the overflow, with "fly-out" toilets to control pollution (the waste is evacuated by helicopter), and with caretakers to enforce the rules.

Among the rules are proscriptions against campfires and the cutting of bough beds. The Boy Scout drill is out of date: now, the campsites resemble the defoliated areas of South Vietnam. There is not a branch to be found, as high up as a man can reach, or as far out as he would care to walk in search of fuel or bedding.

This is not wilderness travel, either. To say, as the Forest Service does, that Management Area IV will offer "a high degree of solitude" is to concede that solitude no longer means what it once meant.

It is not certain that the White Mountains can tolerate the current level of use, even if the logging were stopped, the trail bikers and snowmobilers banned, and the backpackers encouraged to disperse through the area. There are too many of them. The Appalachian Mountain Club is the most important agency catering to their needs, but it is far from being the only one. Altogether, forty-six public and private agencies have an interest in the New England backpacker. They have formed an umbrella organization called the New England Trail Conference, which resolves intramural conflicts and serves as a kind of backpacker's lobby. Currently, this organization is going around in circles. It quite literally does not know what to do—*nobody* knows what to do—to preserve the forest from all those tramping boots.

Start with the AMC huts. If they were torn down, foot traffic would be limited to those who were willing to carry a pack. Some stalwarts would like to do just that. The AMC, they reason, is a private club; it has no possible right to run a chain of motels in the national forest. But the huts are located near water, and water is the limiting factor in camping. If the huts were gone, the stalwarts would pitch their tents at the identical locations, and the skyline would be uglier than before.

Likewise the shelter sites. Leave them alone and they become forest slums; improve them and they become more popular. That is what happened to Liberty Spring shelter a few years ago. Less than two hours from the highway, overlooking Franconia Notch and the Kinsman Mountains, Liberty Spring became a sort of commune. When the AMC Old Boys hiked up to spend the night, they found the shelter always full, and always filled by the same individuals. The spring was polluted, the trees denuded, and the soil dead. So the AMC demolished the shelter and cordoned off the site, so nature could begin to heal the wound. Liberty Spring was designated as the first Concentrated Use Area in the White Mountains, complete with a caretaker and a fly-out toilet. In consequence, the site is now busier than before, and the tent platforms spill back through an acre of woods.

And the trails! The AMC crews no longer speak of "knocking through" a trail, although that language is still heard at the Joy Street headquarters in Boston. Trails today are *built*. They are excavated to the bedrock; bridges are built across the streams; logs are angled across the slope to divert the runoff; swampy areas are crossed with paths of corduroy. If such improvements were not made, detours would be made and the trails would widen without limit. The improvements, however, attract more hikers to the mountains, because hiking is now feasible for those who insist on keeping their feet dry.

The AMC is quite aware that it is destroying the wilderness in order to save it. The word for this process is "de-wildernization," which means to improve the trails and campsites so that they can bear the traffic, to limit camping to "preconditioned" sites, and to hope that the intervening areas will remain more or less pure. "It should be emphasized," warns a writer in the AMC's *Appalachia*, "that this approach does not provide wilderness camping. What it does provide is free lodging at appropriate locations which is still reminiscent of true wilderness camping, while leaving the trail system free to remain close to wilderness conditions." Actually, the trail system has also been de-wildernized. It too is merely reminiscent (what a sad word!) of wilderness conditions. Increasingly, what hikers find in the White Mountains is only a view of nature—of a higher order, perhaps, than the view glimpsed by motorists on the Kancamagus Highway, but not very different in kind.

Still, the improvements must be made. Trails die, just as campsites do: the soil is now dead along the beautiful Ammonoosuc Ravine Trail, on the western slope of Mount Washington. It can be healed, but only if the traffic—and the destruction—are diverted.

There are no good solutions, only a choice of bad ones. The Forest Service is offering a bad solution with Management Area IV, which will channel the hikers into a small part of the WMNF while leaving the rest at the mercy of the internal combustion engine. The AMC is offering a bad solution with its de-wildernization program, which will rob the hiker of the experience he entered the forest to obtain. And the stalwarts are offering a bad solution when they urge that the national forest be returned to nature (and to them): there are too many stalwarts for that.

How many? Ten million, according to the editors of *Wilderness Camping*. Yes, there is a magazine for wilderness campers. There are specialized magazines for rock climbers and cross-country skiers, too, and a glossy new quarterly called *Backpacker*, which is the *American Heritage* of the wilderness trade. In the past ten years, backpacking has become a major industry. It supports not only the prestigious, old-line companies like Sierra Designs and The North Face, but also multiple-outlet chains like Eastern Mountain Sports. Even Sears Roebuck & Co. has added a full line of light-weight packs, sleeping bags, tents and other backpacking accessories to its catalogue.

My own solution, I suppose, is pretty clear by now. It is also a bad one, but it has the merit of preserving the White Mountain National Forest: close it. Close it carefully, step by step, but close it. Close it first to the loggers and other commercial users, who don't need it. If there is a timber shortage in New England, it won't be made much worse if we ban 2.25 per cent of our timberland to commercial logging.

Close the forest soon to the motorized traveler, who doesn't love it. A man cannot love what he destroys, and

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destruction marks every trail in the White Mountains that is passable to snowmobile or trail bike. It was once possible to become lost in the WMNF. No longer: just follow the broken trees and you will reach the place where the snowmobilers parked their cars. The Buck Rogers society should be restricted to the well-developed margin of the wilderness, just as the downhill skiers and family campers are restricted now.

Close the forest next to the innocents, who require hot meals served up to them by AMC hut boys. The Appalachian Mountain Club has found it possible to operate its huts on a caretaker basis in the fall and winter; the same policy should work in the summertime, too. An individual who is unwilling to carry his own cook pot into the wilderness has no business adding to its problems.

And close the forest, last of all, to the backpacker. If it is not possible to maintain the White Mountains in a condition approaching nature's, and still allow free access to everyone who claims to love nature, then its lovers must be kept out. Let them view nature as the motorist views it now, and as the snowmobiler and the trail biker ought to view it: from a distance.

It should be enough to know that there is wilderness remaining in the Northeast, without insisting on our right to destroy it. □

LETTERS *(Continued from page 66)*

into serious trouble and that the climax was likely to come in 1973.

Mr. Birns's central complaint against my reporting can be discerned when he quotes himself as having written in *The New York Review of Books*, "Mr. Martin's reportage on Chile is helping to 'construct a mythology designed to show that Allende was responsible for his own fall.'" The facts reported in my articles are uncomfortable to Mr. Birns's romantic preconceptions. As a result, although he was not in Chile during or after the coup, he sets out to "correct" those facts through personal attacks which are themselves laced with inaccuracies.

Everett G. Martin, The Wall Street Journal

New York City

Mr. Martin speaks about my "inaccuracies," yet he is reluctant about citing them. In my article I had listed a number of major points and fact after fact where he had erred. In his letter, he mentions not one of them, nor does he refer to my support of Prof. Bradford Burns's estimate of the size of a pro-Allende parade, which was the very *raison d'être* of Mr. Martin's Nov. 2nd *Wall Street Journal* article. Even then I had decided not to quote from Mr. Martin's column of Oct. 24, 1972 because I feared that his employer might start asking embarrassing questions of him. This article included the sentence, "And the President [Allende] himself isn't up for re-election until 1976." Of course, the Chilean constitution does not permit re-election of an incumbent President.

He contents himself with rebutting what I had described as symbolic conjecturings: that he had spent his time largely in Chile with the middle class. I still insist that this is the case. I agree with Mr. Martin that he ". . . should have contacts at all levels of Chilean society." But the question is, did he? As for the visit to the expropriated landlord, he might never have reached the *fundo* but it was certainly his intention to make the trip.

In my article I made the claim that I can cite at least eighty-five instances where Mr. Martin was factually incorrect or produced distorted interpretations of events. My claim remains. If the *Journal* will provide me the space to do this I will gladly oblige.

Concerning Mr. Huneeus, I stand on the account of his professional and political evaluation that was developed in my article. To those who know him, Huneeus always identified himself with the PDC and spoke as if he were a member. The greater fact is that Mr. Huneeus is a minor personality in Chilean national and intellectual life and for Mr. Martin to suggest that he is a man of the people is simply mirthful. For the *Journal* to peg so much on Huneeus' analysis is in itself a reflection upon the paucity of insight that it has shown regarding Chile.

Concerning the del Valle charges about alleged electoral fraud (I call them concoctions) in the Congressional election, my differences were not with the dean. I was taking issue with Mr. Martin's original *Journal* report that there was "mounting evidence that there was considerable fraud. . . ." A more professional way for Martin to have presented his evidence would have been to have specifically cited del Valle as his one source, characterize the dean's position in the Chilean intellectual community, and then present contrary evidence, if any existed. I say that overwhelmingly the evidence was to the contrary. Mr. Martin says that ". . . *The Wall Street Journal* is not supporting the coup, nor denying that there was killing or approval of killing." But isn't this statement testing our gullibility? If the opposite isn't true then why did Mr. Martin call those who opposed the junta "resisters" rather than constitutionalists, and why does he cite Allende as the man who "defied" the military rather than the military which was defying the lawful President?

But if the above contains something of interest, it has to be subsidiary to Mr. Martin's suggestion that the difference between him and myself is that "I [Martin] am only a reporter, not an advocate of any kind of ideology." Mr. Martin would like to think of himself as "only a reporter," an honest man in a dishonest world. But why then does he title one of his articles "Wrecking Chile to Build Marxism"? Ideology is not only the possession of the Left. Self-identified middle-roaders too have their ideology. During the period of his reporting, he consistently ridiculed and denigrated the policies and institutions of the Allende administration, in contrast to the image of solidarity and efficiency which he attributed to those who opposed it. As for his self-identified service in informing his readers that things were in bad shape in Chile before the overthrow, one needn't be a Pulitzer candidate to have had this insight. There wasn't a newspaperman or newspaper within or without Chile who wasn't saying precisely this. Perhaps a more significant service to a readership would have been telling why this was so, and what was the constellation of forces producing Chile's parlous state, and what were the options open to the government and opposition leaderships, and what were the external and internal constraints acting upon them. Mr. Martin never provides us with this type of analysis. In fact, he never analyzes, but merely prevents a series of semi-amusing, if tinted, vignettes carefully constructed to present a dogma out of which we are meant to extrapolate major political judgments. As for the *Journal*'s editorials, its finding that "The generals took care of him [Allende] before he and his assassination crews could get to them," respects neither facts nor any pretense to fairness.

The reason why I undertook this investigation of Martin's reportage is not, as he states, because "the facts reported in my articles are uncomfortable to Mr. Birns's romantic preconceptions." After experiencing the realities of Allende's rule, the quality of the opposition, and scrutinizing the operation of the military junta after the coup, it is difficult to be romantic about Chile. What troubles me is that Martin's "facts" often turn out to be nonfacts, and that the language that he uses, the themes that he selected to write about, the vignettes that he presented, and the explanations that he provided *consistently* could have been straight from the manual of arms of the nation's right wing. I am saying that his has been poor reporting which falls apart once it is closely analyzed and assessed. In my article, I had spelled out my charges. Mr. Martin chooses not to respond to them.

Laurence R. Birns

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BOOKS & THE ARTS

Galbraith and the Liberal Purpose

ECONOMICS AND THE PUBLIC PURPOSE. *By John Kenneth Galbraith. Houghton Mifflin Co. 334 pp. $10.*

FRANK ACKERMAN and ARTHUR MacEWAN

Are the liberal Democrats dead? A year ago, after McGovern's defeat, it looked that way. But they may gain new life from Nixon's current troubles. If the liberals do rise again, John Kenneth Galbraith's new book, *Economics and the Public Purpose*, is likely to be their Bible of economic and political wisdom.

In his latest book Galbraith's critique of the American economy is broader than in his earlier writings. His tone is more discontented and militant than is usual for the famous liberal professor. But he is still, as he makes clear, a liberal, not a radical. Though he sees major corporations as the source of social ills, he believes that Congress can cure these ills: Galbraith's reform strategy

> accepts the commitment of the planning system [his term for the major corporations] to its own expansion, as also its need for autonomy of decision. It undertakes to discipline that growth, align it with public purposes and do this under public auspices.

The specific reforms he proposes, such as guaranteed annual income, unionization of unorganized workers, a more progressive tax structure, are admirable enough in themselves. But Galbraith's strategy of seeking those reforms by revitalizing the Democratic Party and Congress can only distract people from the tasks of building a serious movement for social change.

Corporate Power

Central to Galbraith's analysis is his view of corporate power. Once upon a time businesses were run by their owners, who wanted to maximize their profits. But with the rise of the large corporation, and the diffusion of stock ownership, direct control by the owners is declining. Moreover, ownership aside, he argues, the technical complexity of the business puts control in the hands of people inside the corporation, the only ones with day-to-day knowledge of its operations. Galbraith calls these insiders the "technostructure," since he believes their power comes from their technical knowledge.

The technostructure, he continues, is interested in growth rather than profits because its prestige and salaries depend on the long-run growth of the corporation rather than on its short-run profits. Somehow this is supposed to make an immense difference in how the corporation is run.

The long-run perspective of the technostructure, and its interest in security, combined with the power of the large corporation, lead to long-range planning and corporate control of markets. Accordingly, Galbraith calls large corporations the "planning system," as distinguished from the "market system," where competition still flourishes—for example, agriculture, construction, services, etc.

Galbraith occasionally recalls that somewhere below the technostructure there are also workers. But the planning system is well unionized, so its workers succeed in protecting and even improving their wages and working conditions. The corporations cheerfully accept and pass the cost on to consumers. Nothing more apparently needs to be said on the subject.

Three major problems arise in Galbraith's analysis of corporate power. First, he fudges the question of who controls corporations. It is unclear whom he includes in the technostructure. The choice of the word "technostructure," and the stress on technical complexity as the source of power, suggest that he means middle-level technicians. But whenever he talks realistically about corporate power, the technostructure sounds more like upper-level management. The difference is important. Many, perhaps most, large corporations are controlled by their top management figures rather than by stockholders who are not also managers of those firms. However, there are no known cases of corporations dominated by their middle-level technical staffs. By confusing the two groups, Galbraith makes it sound as if management power comes from technical expertise, rather than by virtue of being at the top of the corporate hierarchy.

Galbraith's second weakness is his confusion of the goals of corporations. While managers do have some day-to-day independence, they are ultimately responsible to (and can be fired by) owners and financiers. Furthermore, the interests of top managers and of old-fashioned owners of businesses are not very different. Often managers are on their way to becoming important stockholders, through stock options and bonuses. In any case the growth which supposedly appeals to the "technostructure" and the profits which appeal to owners are quite compatible. As Galbraith notes once in a footnote and then forgets, growth and long-run profit maximization are not in conflict—and owners, just as much as managers, care most about how their companies do in the long run.

Finally, Galbraith is oblivious to the nature of work and its discontents. Unions, whose extent and power Galbraith exaggerates, are supposed to protect everyone working in the corporate sector. Alienation caused by fragmented and repetitive clerical or production tasks is unknown. The growth-oriented technicians who run the corporations have no interest in forcing speed-ups and hazardous working conditions on workers, or in resisting pay increases. Galbraith's familiarity with the modern workplace must be obvious, at least to other Harvard professors.

Corporations and the Rest of Us

The strongest aspect of Galbraith's analysis is his treatment of the corporation's external relations, especially its relations with the consumer. At least since the publication of *The Affluent Society* (1958) he has argued that corporations manipulate consumers through advertising. But things have changed since 1958. Even the more affluent consumer is no longer optimistic about the future progress of the economy: "It is taken for granted that many much-heralded inventions will have as their most striking feature that they do not work or they will prove hazardous." Furthermore, the destruction of the environment, by the forms of consumption that corporations encourage as well as by the processes of production, is increasingly interfering with enjoyment of the consumer society.

Galbraith recognizes that some of what seems to be wasteful consumption, for instance travel by automobile, is not based on the soothing sounds of commercials but on the absence of alterna-

Frank Ackerman and Arthur MacEwan are in the Department of Economics at Harvard University. Both are active in the Union for Radical Political Economics and the New American Movement.

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tives. In noting the lack of alternatives facing the individual in capitalist society, Galbraith has taken a giant step beyond the notion that consumerism works because people are so easily fooled by advertising. But he stops far short of a complete analysis. For example, nothing is said which explains why workers in capitalist society have no alternative but to turn to greater and greater consumption in an effort to fulfill themselves. Any useful explanation would involve recognizing the stultifying atmosphere of the workplace, an issue that is at this point beyond Galbraith's ken.

There is in his new book, however, one startling addition to Galbraith's theory of the consumer: his recognition of the role of women. A high level of consumption requires someone to administer each family's consumption and run the household. This is accomplished by making women into what Galbraith calls a "crypto-servant class," discouraged from having full-time occupations outside the home and constantly congratulated for service to society in order to make up for their lack of income or independence. But just as it looks as if Galbraith has finally come to understand one major area of oppression, he blows it. Since the housewife's work consists of administering the family's consumption, he feels that it is harder work to be a rich housewife than a poor one, since the former has more consumption to take care of. (Galbraith does exclude families rich enough to have servants, but that hardly eliminates the absurdity.)

What Galbraith Leaves Out

There are some other important areas in which Galbraith's analysis is particularly shallow. These include the economics of poverty and racism, the relation of the government to the economy, and the nature of imperialism.

Galbraith's analysis of poverty is based on his relatively reasonable view of the position of small business (his "market system"). Small businesses occupy a position similar to that of the consumer. They have no control over their relations with the large corporations: farmers must accept the price of tractors as a fact of life. Consequently, in the small-business sector incomes are low for employers and employees. Galbraith explains poverty, accordingly, as a function of the fact that the small businesses cannot pay high wages. Exploitation, he says, "used in its precise sense," means getting paid less than the general wage rate in the economy. Thus small-business employees are exploited, while workers in large corporations are not. As for racism, it is mentioned a few times—as a phenomenon that pushes nonwhites into the low-income, small-business sector of the economy.

The analysis captures one interesting aspect of poverty and racism, but it is utterly inadequate. Reading Galbraith, one would never suspect that poverty, exploitation, or racism could exist within the corporate sector. Those long-range planners in the technostructure would never allow things like that. Galbraith's idea that rich housewives are worse off than poor ones is symptomatic of a general ignorance of what it is like to be poor, nonwhite or hard-working. Cesar Chavez, and the need for unions in agriculture, do receive several favorable mentions in the book, but other unions and groups of workers are discussed only in the abstract.

Galbraith's view of the government is bound up with his failure to grasp these important problems. Avoiding a full-fledged analysis of poverty and racism, he is unable, for example, to deal with the racist, repressive and property-protecting functions of "law and order"; he simply adds "safe streets" to the list of inadequately supplied public services. He does recognize, however, that the government is largely controlled by the big corporations. He attributes this to "bureaucratic symbiosis" between branches of the government and the businesses that deal with them regularly. The symbiosis is most advanced between the Pentagon and the military contractors, based upon an identity of interests, a continual exchange of top-level personnel, and a joint effort to develop new equipment that makes last year's models obsolete.

But once again, Galbraith has passed off a few interesting partial insights as a general theory. The connections between the government and business are far more pervasive than Galbraith wants to admit, and they amount to more than interlocking directorates and bureaucracy gone astray. The needs of corporations provide the fundamental definition of the government's role in the economy.

Perhaps if Galbraith had gone further into the question of imperialism he would have been forced to face the full meaning of government involvement in the economy. But for Galbraith imperialism is only the phenomenon of U.S. corporations buying raw materials from the Third World at prices controlled by the corporations. The war in Vietnam is mentioned only in passing, and not at all in the chapter on "imperialism." The reader would never guess that the United States had fought an all-out war, costing hundreds of thousands of lives and billions of dollars, to maintain control of Indochina—a chapter of history which

THE WONDERFUL STEREOPTICON MACHINE

I

To grieve purely
in the garden
for the red bird
swallowed by a cat

never looking at
the cat's stomach
in wonder. . .

to know that instant
for itself,
only as the bird's
the one who died early.

II

Gold on the cage grazes a golden
mechanical bird outside motionless

Close one eye here's the bird
close the other that barren cage
open both eyes wide to see
those wingy feathers under gold

But still the bird
framed only by his own gold feathers
unruffled silent
beak to the sky remains

alone . . . I will not cage him.

Anne S. Perlman

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can be explained better by radical theories of imperialism than by Galbraith's "bureaucratic symbiosis."

Galbraith and the Liberal Purpose

Why does a clever fellow like Galbraith say all these things? Why is he so clear on some matters and so fuzzy on many others? *Economics and the Public Purpose* is a very perceptive view of the U.S. economy as it affects the upper-middle-income consumer. Galbraith is strongest on the aspects of the economy experienced by such consumers: the growth and power—though not the internal workings—of the large corporation; the squeezing out of small business; the manipulated, frustrated, pollution-filled life in consumerland; the oppression—paradoxical, but real and painful—of the suburban housewife; the unresponsiveness of government to even its moderately affluent subjects. In areas remote from upper-middle-income consumer experience, Galbraith is much weaker: he understands little of power and conflict within the corporation, the nature of work, alienation, poverty, racism, and imperialism.

Galbraith's sharpest insights derive from the social basis of the reform movement for which he is writing. It is above all a movement of upper-middle-income suburban liberals. In moments of political realism the reformers see the need for alliances with other groups, and on the level of theory Galbraith makes an attempt to link the discontents of affluent consumers to the problems of other groups, especially to the situation of those who are excluded from the modern corporate economy. But Galbraith's analysis of the economy, and his strategy for reform, grow primarily out of life within the affluent strata of our society.

Galbraith on Reforms: The Militant Moderate

Galbraith's recipe for reform consists of reheating the traditional reform program, stirring in a dash of feminism, and adding flavorless lumps of academic conclusions drawn from his economic analysis. He favors increasing the minimum wage and extending its coverage, while providing a guaranteed annual income, somewhat below the minimum wage, to anyone who cannot work or who chooses not to work. Taxation should be made progressive—taking a larger percentage of income from the rich than from the poor. The spreading of unionization throughout the labor force should be supported. Environmental protection and urban social services should be expanded. Moreover, Galbraith now advocates "socialism," by which he means nationalizing a few industries in which private enterprise has done a notoriously bad job: medicine, housing and mass transportation. Galbraithian socialism also includes nationalization of corporations, such as military contractors, which do most of their business with the government.

To this largely familiar list of reforms, Galbraith adds four proposals for attacking sexual discrimination: child-care facilities, more flexible working schedules and provisions for part-time work, an end to discrimination in hiring (exclusion of women from the upper levels of the technostructure seems of particular concern to Galbraith), and equal education with that allotted to males.

Despite his claims, Galbraith's reform proposals are only partially related to his economic analysis. Some of the most abstract and vague proposals, such as those for strengthening the market system relative to the planning system, follow most closely from the analysis. On the other hand, some of the most interesting reform proposals deal with subjects not raised in the economic analysis, such as equalizing income distribution within the corporations.

Few reasonable people would object to Galbraith's reforms, as far as they go. But his strategy for achieving them is far more controversial. He tells us that

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the executive branch of government and its bureaucracies are dominated by big business—as also are the Republican Party and one wing of the Democratic Party. The way to achieve reforms is to revitalize the other wing of the Democratic Party, and elect a more liberal Congress, which can then control the abuses of corporate power.

He presents no evidence for the possibility of effecting change through the actions of Congress save for a nostalgic harking back to the days of Franklin D. Roosevelt. Perhaps the militant rhetoric reposes on a religious faith in the moderate route to social change. Or perhaps the shallowness of Galbraith's analysis has indeed led him to underestimate the strength of the corporations. From the endless list of examples of the futility of reform by Congressional action, consider the most recent: years of hard work organizing Congressional support for environmental protection had almost produced enough votes to stop the Alaska pipe line, when the energy crisis (an event the oil companies anticipated long in advance, and in terms of which they had planned their strategy) created a panic. The oil companies profited by that panic to push through the Alaska pipe line, and reverse virtually every environmental restriction which has ever been placed on their activities.

Galbraith is witty and fun to read. His analysis of the economy is somewhat better than it used to be, and far better than that of Samuelson and other traditional economists. But we need to know a lot more than Galbraith tells us if we are to understand the American economy—and how to change it. □

The Captains and the Kings Remain

THE KING DAVID REPORT. *By Stefan Heym. G.P. Putnam's Sons. 254 pp. $6.95.*

ALVAH BESSIE

For more than twenty years after the German Democratic Republic was formed in 1949, its spokesmen referred to Berlin as a "front-line city." While the Wall was not built until 1961, the character of both East and West Germany had been established in the preceding twelve years. Occupied by Britain, France and the United States, the West got transfusions of billions of dollars, to make it the showcase of Western capitalism. The East became a Socialist regime under the tutelage of the Soviet Union.

By arbitrarily decreeing that one Westmark was worth four Eastmarks, the German Federal Republic drove a sharp wedge into the heart of the absurdly split city and the divided nation: Eastern workers went West, bribed and seduced by wages worth four times their own, by a chance to buy goods and services unavailable in the East. The Wall put a stop to the hemorrhage of brains, money, manpower—and even fresh vegetables and eggs—from East to West. It also exacerbated the hostility that had first come to a head on June 17, 1953, when a counterrevolutionary *Putsch* was attempted in East Berlin, an action that stemmed not only from the genuine grievances of the East German workers but which also had the active support of West Germany, in the form of arms and *agents provocateurs,* sent in with the blessings of the three occupying powers.

The revolt was suppressed by the Soviet Army with relatively little bloodshed, and—on the personal level—that event marked the beginning of the troubles suffered by East Germany's leading author, Stefan Heym; for he wrote a novel about it called *A Day Marked X* that has not been published to this day.

Born in 1913 in Chemnitz (now Karl-Marx-Stadt), Stefan Heym immediately attracted Nazi attention as an anti-Nazi poet when Hitler came to power. He went into exile—first in Czechoslovakia and then in the United States. In New York he met and married Gertrude Gelbin, who helped him perfect his English and who was his editor until she died in East Berlin in January 1969. His first novel—written in English—was a modest success, was sold to the movies, and starred the late William Bendix in an exciting story of the Czech underground struggle against Nazi occupation (*Hostages*).

The Crusaders won Book-of-the-Month Club money and prestige and is—despite that fact—indisputably one of the best novels about World War II on the Western front, written by any participant in any language. For Heym served in the Army of the United States, was decorated and became an American citizen. But when he received "Greetings" from President Truman at the outbreak of the Korean "police-action" and was ordered to report to his reserve unit, he said to hell with it and, with his American wife, left for Europe.

He returned to Czechoslovakia, and then, in 1951, to the German Democratic Republic, where his wife founded and was chief editor until her death of the best English-language paperback publishing house in Europe (Seven Seas Books), and Heym himself had every reason to expect to be an ornament of the new Socialist regime, together with Arnold Zweig, Heinrich Mann, Ludwig Renn and Anna Seghers.

He did become such an ornament, winning the National Prize in 1959, but he is said to have considered the award a bribe for discreet silence about his unpublished novel. Heym had not been silent under Hitler, nor under reactionary pressure in the United States of the McCarthy days when his novel *The Eyes of Reason* was attacked as Communist propaganda because it was a startlingly acute (and sympathetic) portrayal of the transition from capitalism to socialism in Czechoslovakia. Nor has he been silent in the GDR about *A Day Marked X*, although a recent interview indicates that he finally has accepted some of the criticism directed at it, for he said it was not "a complete and rounded picture" of what happened. (*Intellectual Digest*, March 1973).

Was such a statement a sellout to the regime, as some ultrarevolutionaries as well as anti-GDR *émigrés* now resident abroad have claimed? Was his statement in the same interview that "some of the Czech things got out of hand and of course, the invasion was a panic reaction—but an understandable one" further evidence of accommodation to what has been described as "the last Stalinist state" in the Socialist world?

The contention is absurd if we consider what has happened to the GDR in the last few years, and to Heym himself. Never a member of any Socialist party, he is a dedicated Socialist and at the same time an articulate, cogent and unabashed critic of socialism in action. His criticism was beginning to get him in trouble even before 1956 when a column he was writing for the *Berliner Zeitung* was closed down. In 1965 Heym was denounced—together with other GDR writers, poets and editors—at the eleventh plenum of the Socialist Unity Party, and he became a nonperson: no longer permitted to publish books or articles, nor even to speak in public. He has lived since then on his savings, his domestic royalties, which

Alvah Bessie, novelist, critic and screen writer, has visited the German Democratic Republic three times in the last twelve years: in 1961 to attend the twenty-fifth anniversary celebration of the International Brigades; in 1965 as participant in an International Writers' Congress in Berlin and Weimar; in 1971 as guest of the Documentary and Short-Film Festival in Leipzig.

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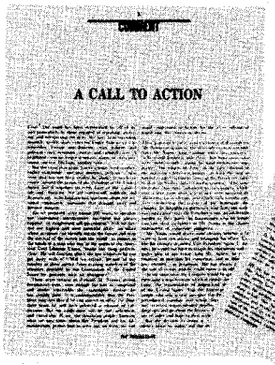

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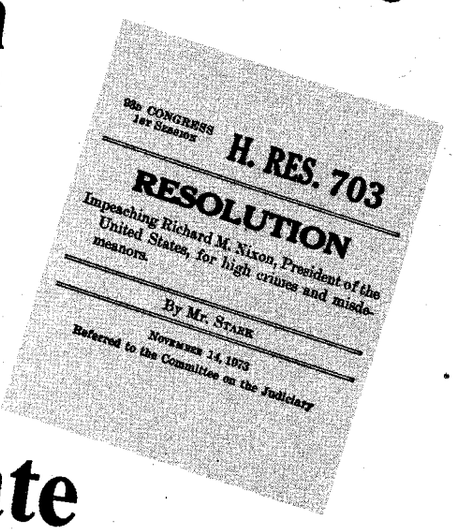
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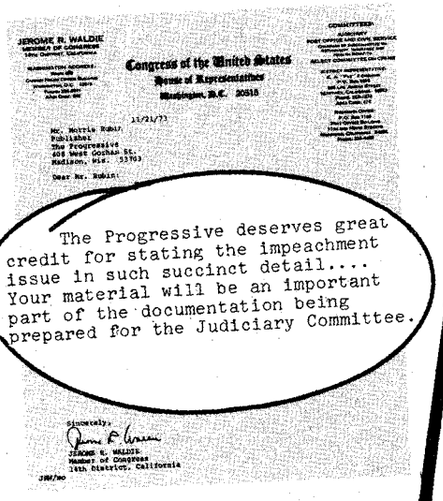

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were small, and his royalties from both the capitalist and Socialist worlds, which have been considerable at times. And he has kept right on writing.

But times change and regimes change with them. The withering away of the cold war; the thaw between West Germany and the GDR following the Willy Brandt *démarche*, which finally recognized that the Socialist third of Germany was there to stay; the necessity for trade and improved relations on all levels between West and East—all these shifts in international relationships brought about changes in what Marxists call the superstructure of the GDR: a relaxation of controls, however small; a slight "normalization" of relations between the East German power structure and its rebellious sons and daughters. In Heym's case it resulted in his getting permission to visit and speak at the Frankfurt Book Fair in 1969, and to visit Australia as a guest of the Adelaide Festival of the Arts in 1970—while, at the same time, he was still unable to get his last three books published in his own country and was even punished by a nominal fine (300 marks) for publishing one in the West without permission.

Today, these last three novels—*Uncertain Friend*, about Ferdinand LaSalle, one of the founders of German social democracy who broke with Karl Marx; *Queen Against Defoe*, which deals with the persecution of the great satirist for fighting censorship; and his latest, *The King David Report*, are all certain of publication in the GDR.

Anyone reading these books will find that the man who fled Nazism at 20, then fought it in uniform, who abandoned his adopted land, where he had been successful, when it embarked upon imperialist adventures in Korea—returning his citizenship papers, his commission, his medal and citation to President Truman—is still the same cantankerous character whose self-assurance has annoyed many people; whose charm has endeared him to many more; whose resistance to criticism has disturbed not only his critics but his friends, and whose insistence on writing in English, then translating himself into German has infuriated nationalistic German publishers, not least because he charges them for the translation.

Certainly the cultural leaders of the GDR would know what Heym was up to in all these works, as well as in *The King David Report*, even if he had not told them in the postscript to the novel. For this is a story that operates simultaneously on three levels. It is a short Biblical epic and is fascinating on that level alone; it is an often hilarious satire on the Old Testament and its people (derived from the Saul-David-Solomon legends of Samuel and Kings); and it is an audacious modern political parable concerned with Stalinism, the uses of demagoguery to attain power, the corruption of good ideals in that struggle, purges and show trials to enforce conformity of opinion, the sort of nepotism that flourishes under all governments, the rewriting of history to suit those who hold the reins of power, the role of an honest man in a crooked society, the role of an honest *writer* in a rigid regime determined to tell him how to think, the making of an un-person and his rehabilitation.

All these facets of life today in our capitalist and Heym's Socialist world are examined in the story of a Biblical personage, Ethan ben Hosiah, a poet and historian who is called in by King Solomon to write (under the aegis of a royal commission, of course), *"The One and Only True and Authoritative, Historically Correct and Officially Approved Report on the Amazing Rise, God-fearing Life, Heroic Deeds, and Wonderful Achievements of David the son of Jesse, King of Judah for Seven Years and of Both Judah and Israel for Thirty-Three, Chosen of God, and Father of King Solomon."*

Like all honest writers, Ethan is consumed with the need to write the truth—and the parallel need to keep his head on his shoulders, feed his family and live as long as possible. The danger he faces becomes apparent immediately, for he discovers that David was not only a great soldier who unified the tribes of Israel and forged a nation in the midst of revolution, but he was also a thoroughgoing bastard, thief and killer; a man capable of being a whore to both men and women; a hypocrite who talked directly to God and did not hesitate to murder his own son to consolidate his rule.

In the telling of this tale Stefan Heym demonstrates not only his diabolical ingenuity as a satirist—he is of the order of Defoe and Swift—but also as a stylist in English who is a match for those other foreigners, Joseph Conrad the Pole and Vladimir Nabokov the Russian, who abandoned their native tongues to write in ours.

He is more than that. He has been a nonperson in two countries, who has been rehabilitated in his own lifetime without going through the obligatory ritual of "self-criticism" or confession by the Establishments of this world—Socialist, capitalist or in transition. □

THE TREE

A shoulder touches iron wheels
in the dark
in the rain

In the tree
something stirs

But clings to the bark
to let pain
still define what it feels

And seasons turn in the dark
till the rain becomes a hand
Then a tree grows out of the wheels
its stirrings numberless
as sand

Brian Swann

The 'Founds' of Bern Porter

JAMES SCHEVILL

In a visual age, it is natural to focus on the visual aspects of poetry. Yet in recent years, Concrete Poetry, the art of visual language on the page or in other environments, has been more influential in Europe than in the United States. A unique American pioneer in visual art, whose achievements are just beginning to earn the recognition they deserve, is Bern Porter, a gifted scientist as well as artist, writer, publisher, editor and pursuer of unique travels. The San Francisco Bay Area played an important part in Porter's career. After participating in the development of the first nuclear bomb, Porter, a physicist, suffered a breakdown after the bombs exploded on Hiroshima and Nagasaki. He started an important little press in Berkeley in the 1940s, where he published such writers as Henry Miller, Parker Tyler, Philip Lamantia, Kenneth Patchen, Leonard Wolf, Robert Duncan, Kenneth Rexroth and myself. Also, between 1946 and 1949, he ran the Contemporary Gallery in Sausalito and exhibited painters and photographers who are now well known, including Richard Diebenkorn, John

James Schevill is a poet and playwright whose latest books are Breakout: In Search of New Theatrical Environments, *and* The Buddhist Car & Other Characters, *(poems), both published by Swallow Press in 1973. His new play about Hitler,* Cathedral of Ice, *will have its première in Providence, R.I., in February.*

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Hultberg, Richard Bowman, Frank Lobdell, Walter Kuhlman and Harry Bowden.

The concept of waste—or its obverse, found materials—is a particularly American theme, the result of a wealthy society that throws things away with the utmost casualness. Artists, sculptors and poets are tempted continuously by this theme. Scientists struggle with the problem of waste. Porter, with his varied background, has always sought to unify the arts and sciences in what he calls *Sciart*. Sciart may seem an ambiguous term, as it implies a desperate search to bridge the separation between the arts and sciences that has characterized the increasingly specialized 20th century. Porter, an isolated New England prophet from Maine who never does the expected, stands squarely in the American tradition of "eccentric" prophets, from Emerson and Thoreau to Charles Ives and Buckminster Fuller.

I've Left, written in the early 1950s, first published in 1963 and reprinted and available in cloth and paperback from Dick Higgins' Something Else Press (1971), is a fierce, surrealistic, autobiographical attack against our modern, commercial society. In 38 concise pages, *I've Left* sets forth the basic contradictions and possibilities of American society. It is a curious blending of Whitmanian affirmation—"I am at all places, in all forms, at all times"—and Kafkaesque isolation and depression—"I finger zero, readjust my couch in a void that sloth built, the better to do nothing." Its tone is a remarkable foreshadowing of the current "apathy," the revolt of youth against a mechanical, technological bureaucracy. Describing Porter's views on clothes, modern design, poetry, theatre, film, television and the automobile, *I've Left* absorbs the machine into the imagination without underestimating mechanical dangers. As contrasted to Ralph Nader's obvious questions about automobile safety, for example, Porter goes to the heart of the problem by asking, "Are automobiles necessary?" Beginning with this kind of simple question, he shows how our cities compromise with the problem of the car rather than confront the device's innate destructiveness. The scientific-surrealistic tone of *I've Left* alternates between a plea for what the machine and the scientific imagination can achieve, and mockery of the ways in which our civilization has failed in its search for a humanistic technology. However, there is a basic difference between Porter and the current generation of artists and scientists. They are shaped largely by an age of war, irony and black humor, while Porter clings still to the idealistic, transcendental tradition that believes in the rational possibilities of the American imagination.

The center of Porter's creative achievements, his concept of "Founds," appears in the large-scale continuity of two books published at last in handsome editions—*Found Poems* (Something Else Press, cloth $10), and *Wastemaker: 1926-1961* (Abyss Publications, paper $3.95). Unfortunately, as Porter says, the title that the publisher adopted, *Found Poems*, is a conventional concept and puts the emphasis on an aesthetic approach that Porter does not intend. In Porter's mind, "Founds" bears out his sense of the unity of science and art—the mystery of a whole society rather than its specialized aspects. Looking at these two books superficially, one might say that they are amusing, sometimes brilliant examples of the way an artist can take the found materials of discarded waste in newspapers, letterheads, mailing advertisements, announcements, textbooks, manuals, official bureaucratic documents of all kinds and other forms of instant Americana, and by a deft arranging, altering or adding, create individual "Founds." But more careful consideration suggests that a deeper, more complex process is at work. Over a period of many years, Porter has been creating a unique commentary on the structure of American society. One could make too much out of the unified form involved and, immediately, the result would become a target for parody in Porter's "Founds"—like the one that reads simply, "Porter—Yankee Pioneer." Yet it is important to note that the "Founds" constitute an intricate, epic work that brings together Porter's agonizing and marvelously humorous reflections on who we are, where we have been, and what destinies we are accomplishing.

At the core of the "Founds" are Porter's travels. Throughout his life, he has made a practice of "leaving" and returning. Much of his best work has been done in silence and exile. In the 1960s, many years after his breakdown following the Hiroshima and Nagasaki explosions, he went back to work as a scientist on the Saturn rocket project at Huntsville, Ala., under Wernher von Braun (some of the elements in Porter's life were the model for the character of the physicist, Stanley Millsage, in my play, *Lovecraft's Follies*). In addition to his scientific journeys, he has traveled constantly throughout the South Pacific, Japan and Europe. Yet his "Founds" focus on American experience, as though all of his wanderings serve the creation of an American dream voyage.

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of Porter's works, books such as *Wastemaker*, originally published only in one copy for this library, and other works impossible to reproduce that are in the realm of sculpture, photography, painting and found art. The primary visions of this isolated New England visionary are available mainly on the dark, interior shelves of a Los Angeles library. Somehow it is all very American. Harassed by lawsuits and security investigations—because his creative world is incomprehensible to governmental bureaucracy—Porter continues to produce an incredible variety of work. As I wrote at the end of a short book about Porter, *The Roaring Market and the Silent Tomb*, published in 1957: "Porter's life points to the tragic danger of a science under mass control that stifles the individual. His work points to the possibility of a new society, rejuvenated by a formal alliance between the humanistic aims of science and art." □

THEATRE / Harold Clurman

To say that *A Moon for the Misbegotten* is the best production of the best play of the season is to say very little. One might ask why it has taken so long for the reviewers and the public to recognize its unique distinction in O'Neill's work. For the play, written in 1943, failed dismally at its try-out tour under the Theatre Guild's auspices in 1947 and was still held weak when it was done on Broadway in the spring of 1957 with Wendy Hiller, Franchot Tone and Cyril Cusack. It achieved acceptance in its revival at the (old) Circle in the Square in 1968, but only now at the Morosco Theatre has it become an unqualified success.

The play's initial failure was to some degree the fault of its author and producers. They insisted that the girl in the play, Josie Hogan, be acted by someone of Irish blood who is "almost a freak—five foot eleven in her stockings and weighs around one hundred eighty." These physical attributes were considered so important that the actress who played the role—tall, but not heavy enough—was asked to sign a contract which read "the artist agrees to gain the necessary weight required for the role." This stupid and horrible clause may very well have led to the actress' death shortly after the play's production. None of the actresses who played it subsequently answered to the playwright's description of the character's size nor were they, as far as I know or as anyone could tell, Irish.

Both Wendy Hiller and Salome Jens are good actresses, but the productions in which they were cast were either not successful or only partially so. I am rather pleased to relate that Colleen Dewhurst, now in the role, was asked to play it for me while she was still a beginner, in one of my private classes, before I had ever seen the play. She played it in Spoleto (Italy) during one of its summer festivals which, for all her suitability to the part, was not enough to render that production impressive. In such a play the entire cast, its direction and the spirit of the whole must be coherent, unified. A play on the stage is not a good play simply because it may be one in its text. Theatre is something different from literature . . . it may be more or less, but it is not the same.

The historian Henry Steele Commager, writing about O'Neill, complained that he was obsessed by sex—and he was not the only one to do so. (As a joke, I once said that since there are only three or four things a person can be obsessed by, sex obsession might be considered as good as any of them.) But the truth is that O'Neill was ambivalent in the matter—it could be maintained with sufficient evidence that he had a certain horror of it. *A Moon for the Misbegotten* is a love story—almost the only one O'Neill ever wrote. Because it is that, *sex* occupies a peculiarly oblique role in it.

The love story in this play is a thwarted one. Yet that, in a certain sense, (O'Neill's sense) is one of the reasons why the love is realized. For the two people involved are "misbegotten." Josie Hogan believes herself unattractive because she is physically lumpy and perhaps even more because she is the daughter of a widowed and indigent farmer, working unyielding soil in a vicinity where the neighboring males are louts. She is ashamed of her condition and tries to mask it by pretending to a promiscuity which her natural fineness and pride shun. She is in fact a virgin. Old man Hogan understands Josie's plight and goes along with her game, while he sorrows over it. With all his being, he wishes that she may find a good man whom she might love and who would love her.

James Tyrone, Jr. is such a man. But he too is "misbegotten." He is an actor's son, morbidly attached to his now dead mother; his father's profession and person both alienate him, to the degree that he has become an alcoholic who finds little gratification in life except through the frequenting of "Broadway tarts." His experience with these creatures makes him regard sex as dirty. In Josie, he finds purity, the maternal tenderness, the loving sensibility which reaches out to comfort him in his hurt.

Their love is a "moon"—a romance, an ideal, a dream, the opposite of a reality by which they might live. Thus, they cannot consummate a union of the flesh. The perfection of love to which they both aspire is impossible for them: he is too far gone in self-abasement, in his death-in-life; she perceives that the last remnant of his manhood resides in his enraptured regard for her and that she must forgo any expectation of redemption for him. Yet in their momentary contact they fulfill something of their dream by knowing they have experienced love in their one ecstatic and fleeting moment of mutual recognition. She knows that in a special way she has been truly loved; he knows that selfless love is possible, and what he desires even more, forgiveness, which he had never believed would be vouchsafed him.

What makes the play so absorbing and affecting is that O'Neill, without preachment or turgid poetizing, has

THE DREAMS OF ANOTHER

I want to visit the rooms
of strange people some night
in a distant city

and read the heads of the sleepers
to see how their dreams go:

and then I might dare
to enter a dream
I think I could like,
stepping in the dark

where someone who cannot place me,
someone I've never met, finds
he keeps dreaming of me, this presence
he cannot shake off,

and his dream will turn alien
as I sink ever deeper
until the dream surrounds me

with its places and figures
so familiar at last
and bright with recognition

that I can claim
the dream as mine
and banish the sleeper
just before dawn

when I wake in a room
I have never lived in

yet know as my own
as I know nothing else.

Jack Anderson

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poured into it all the ache of his confusion, all his drive toward perfection. He longed for the "absolute" in everything, strove toward it wildly, felt his inadequacies for achieving it and understood that only in his impassioned reaching for it did he attain the stature he hoped for.

O'Neill said his plays dealt with man's relation to God; what he meant was that he was concerned with purity, a life without taint or compromise. His weakness in confrontation with the circumstances of his own existence made him feel disgraced in his own eyes, so that all that remained to him was to pray for forgiveness as he himself, after his long day's journey into night, managed to forgive those who he imagined, despite himself, were responsible for his failings and wounds.

There is an affinity in Jason Robards with O'Neill's spirit. That is why he has reached the apogee of his career here in the role of James Tyrone, Jr. He was a perfect Hickey in *The Iceman Cometh*, admirable as the same but younger James Tyrone, Jr. in *Long Day's Journey*; but Hickey is limited compared to Tyrone in *The Moon*, and the junior Tyrone of O'Neill's masterpiece is caught within the complexities of that play's other personages. In *The Moon* James, Jr. is both subjectively and objectively essentialized. Objectively, he is O'Neill's brother; subjectively, he is O'Neill himself. (One wonders if O'Neill realized this.) And Robards is able, through inner motives and analogy, to convey the cracked vessel that is Tyrone, Jr. Robards' voice, with its buried sob and its suppressed laughter, its drunken despair so close to cynicism, its Broadway randyness and its shamefaced apology, the "hamminess" of it all, together with its humanity, go to the heart of O'Neill's creation. Robards and James Tyrone, Jr. are one.

Colleen Dewhurst brings a powerful womanliness to the part of Josie. She is of the earth, warm and hearty. She looks and sounds a person who can do her own and her father's hard work; one, moreover, who possesses the vast sexuality she boasts of, as well as a woman chaste through the very force of that sexuality.

The play begins as comedy—very old-fashioned comedy at that—and it is an aspect which could mislead an audience into expecting something other than what follows and which therefore doesn't often come across as part of the play's deeply affectionate quality. In Edward Flanders' performance, dryly understated yet sharply indicative of stout fiber, bereftness, sorry slyness and fatherly devotion, Hogan becomes, for the first time, wholly alive and integral to the play's texture and scheme.

José Quintero's direction is his best. The play flows in easy and precise rhythm. There is no impediment, waste movement or ponderousness in it. Without being "stylized," it is free of petty realism and without rhetorical inflation, rises to its own inherent grandeur. The direction is well aided by Ben Edwards' setting and lighting, which combine poetic theatricality with the specificity of the play's environment.

A Moon for the Misbegotten has at last become a wonderful evening in the theatre. □

MUSIC

DAVID HAMILTON

Whether by accident or design, the New York Philharmonic has been staging a minor retrospective of its own commissions. Last season Boulez programmed Leon Kirchner's brilliant *Music for Orchestra*, and this year we have had Aaron Copland's *Connotations*, with Elliot Carter's *Concerto for Orchestra* to come in February. A useful kind of retrospection, this, and not without practical advantages, for at least some members of the orchestra have encountered their parts before, thus presumably saving some preparation time.

Connotations surely deserves the reexposure, in circumstances more congenial now than were those of its première on Philharmonic Hall's opening night in 1962. Declining to be merely bland for the ceremonial occasion, Copland offered "a work that would bring to the opening exercise a contemporary note, expressing something of the tensions, aspirations and drama inherent in the world of today." The gesture was not especially appreciated by the 1962 audience, although we can now see that the abrasive tone of *Connotations* was surely more germane to the events of the succeeding decade than anything else on the evening's program (a recording of the first performance is on Columbia MS 7431; there have, however, been some modifications to the score since then). A similarity of design and character to Copland's famous *Piano Variations* of 1930 may be noted, for the 1962 score also builds a strong curve out of successive variations of a series of chords, in the manner of the baroque chaconne. Copland orchestrated the piano work in 1957, but *Connotations* much more successfully realizes this kind of conception in orchestral terms, its broad gestures and granitic sonorities expanding convincingly over the larger canvas. Boulez and the orchestra played it with glassy clarity and formidable energy.

Another valuable repetition was the performance by the Group for Contemporary Music of Elliot Carter's Double Concerto, which seems on its way to becoming the *Scheherazade* of the contemporary chamber literature—every ensemble wants to take a crack at it (yet another local performance is scheduled this season, at Avery Fisher Hall on March 6). With Ursula Oppens and Robert Miller in the harpsichord and piano solo roles, Charles Wuorinen directed what struck me as the most confident performance to date; enough players now have achieved such security with Carter's rhythmic innovations that they can play their individual parts with the same independent projection and swing they command in more traditional repertory. In consequence, the score's contrasts come forth with ever more force and character, its exuberance becomes more directly contagious.

If there is a persisting performance problem in the Double Concerto, it has to do with balancing the two keyboard solo parts. Amplification for the harpsichord is now standard, although the exact level is always problematic, because what works in rehearsal may not sound the same in a populated hall. At the Group's performance, in the auditorium of the Manhattan School of Music, the effect of the simultaneously accelerating (piano) and decelerating (harpsichord) cadenzas at the climax of the slow movement was stronger than ever before in my experience; a slight sacrifice of

PHOTOGRAPHER

Light has limits. What he can't see
He believes in. He tacks up background.
Shadows explode from the flash—
Winter trees, victims.

Noon comes to find him
At home in the color blue
Whistling in a minor key.
In his dark room, he seeks clarity,
Turns to acid
In unmarked bottles.

Light in the abstract bores him.
His shapes labor against light
Make gestures in space like mimes.

At midnight he puzzles
What presence eludes him.
The space between trees
The moon's other side?
Night takes power from his lens.
Eclipse spins from his thumb.

Sunrise. Sunset.
He can never get it right.

Carol Muske

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naturalness in the harpsichord tone seemed a small price to pay for clarity at this crucial and exciting point.

Talking performers are still with us, and I am still skeptical. Michael Tilson Thomas' latest "Spectrum" concert, at Carnegie Hall with the Boston Symphony, was devoted to "Transcriptions," but made its most convincing case musically rather than verbally: Schoenberg's orchestration of the Brahms G-minor Piano Quartet proved enormously exhilarating, rather than the somewhat elephantine grotesquerie that it has sometimes seemed. In particular, the percussion parts, ostensibly so un-Brahmsian (xylophone and glockenspiel, yet!) made perfect acoustic sense when blended, like seasoning, into the total sonority instead of being banged out as solo melodies. If Brahms's line of musical thought in the first movement proceeds at a somewhat unsymphonic pace, the rest works admirably, and one hopes Mr. Thomas will be given an opportunity to record his well-judged performance.

However, the first half of this program didn't come off, either as a concert or as a Music I lecture. John Cage's *Suite for Toy Piano* is an entertaining conceit, but Lou Harrison's orchestration inflates its C-major trivialities to Wagnerian proportions. Carl Orff's "realization" of the *Lament* from Monteverdi's *Arianna* is an exemplar of *la gentilezza tedesca* at its most offensive. And Ravel's orchestration of passages from Schumann's *Carnaval*, only recently made public, was disappointingly characterless. The opportunity aurally to compare originals with transcriptions may be every teacher's dream, but bad transcriptions make dull concerts. □

LEGAL NOTICE

SUPREME COURT
OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

STATE OF NEW YORK,
Plaintiff,
Index No. 40529/71
against THE ABORTION INFORMATION AGENCY, INC., JOHN A. SETTLE, JR. and SHARON C. PETERS, Defendants.

Pursuant to Article 11 of the Business Corporation Law and Sec. 63, Subd. 12 of the Executive Law.

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Notice is hereby given by the undersigned, BERNARD BIENSTOCK, that he has been duly appointed Permanent Receiver of the property of the corporate defendant, and has duly qualified as such and entered upon the performance of his duties, and that, pursuant to Sec. 1207 of the Business Corporation Law, said Receiver requires:

All creditors and claimants including any with unliquidated or contingent claims and any with whom the corporation has unfulfilled contracts to present their claims to said Receiver in writing and in detail at the office of his attorney, MORTIMER M. ROTHSTEIN, located at 475 Park Avenue South, New York, New York 10016 by the 15th day of May, 1974.

Dated: November 5, 1973.

BERNARD BIENSTOCK
Receiver of the Property of
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FILMS

ROBERT HATCH

Chaplin completed *A King In New York* in 1957 and released it in Europe. Joe McCarthy died in 1957, but McCarthyism was only beginning to ebb, and at the time Chaplin had been barred from the United States on grounds of Communist sympathies with trimmings of moral turpitude. He made no attempt to show the picture here. It was just as well, for what one can now enjoy as a sharp, occasionally hilarious, but by no means profound satirical frolic, would have been buffeted into a *cause célèbre* by the hyper-patriots.

It has always been assumed that *A King in New York* was an attack on the whole HUAC state of mind, and in part it is that. But rather more it is a spoof of television hucksterism, the fascination with instant riches and the American's naïveté in the presence of what he takes to be Continental elegance. Chaplin was good on such topics, for he understood them; he was ludicrously bad, for example, in a caricature of progressive education, about which he apparently knew nothing at all.

In the matter of politics, he is surprisingly even-handed. He is savage with the paranoid patriots, employing for his climax the image of a weeping child, on which during a good part of his career he projected the excess of self-pity that he could not hang on his own shoulders. But he uses this same child (his son Michael; then 11) as a mouthpiece for the rote Marxism that was in the 1950s the antithesis of spastic redbaiting. Michael Chaplin was a startlingly beautiful child (his mother, after all, is Oona O'Neill) and under his father's tutelage he made a wicked parody of the finger-wagging radical automaton. As a forlorn waif he is less convincing, perhaps because Chaplin himself couldn't make that old machine run again.

When he shot the picture, Chaplin was 68, and exuberant. He makes no bones about his age—indeed in a ghoulishly funny encounter with plastic surgery he exploits it—and he stays well within the limits of his still impressive physical agility. The effect, thus, is not that of a once fabulous dancer exploiting the shadow of his brilliance, but of an extraordinarily ebullient oldster (like Father William in the jingle). The neatness of Chaplin, his precision, are as much a joy as ever; he makes anyone else look oversized and vague.

As film technique, *A King in New York* was archaic even in 1957. Chaplin put it together as he put together his bamboo-cane-and-derby pictures, working with each scene as a unit, troubling very little with continuity and trusting in his own personality to give the thing coherence and flow. Almost every scene opens with the ringing of a door or phone bell, makes a single, visual point and then is cut abruptly to the next shot. Viewers a generation or two younger than Chaplin will no doubt find the result jerky, perhaps monotonous; on the other hand, you get a lot of pure cinema in an hour and three-quarters. For in this, undoubtedly his last picture, Chaplin was still the wizard of sight gags, pantomime, narrative shorthand and instant action. He uses almost no buildup for his effects; at the moment that the camera begins to run, the set is in full motion. The effect is of a series of small, stimulating electric shocks so that the picture signals excitement even when in fact, nothing out of the ordinary is happening.

Chaplin obviously enjoyed making the picture and seems to have infected the large cast with his pleasure. As always, he chose his supporting actors more as obvious types then as subtle actors (the subtlety he reserves for himself). Oliver Johnston, who plays the King's U.S. Ambassador/man Friday with exhausted loyalty, was my favorite. Dawn Addams was the last of Chaplin's beautiful leading ladies. She is good to look at and appears to adore him—which is about all he ever required of his screen sweethearts.

A King in New York seems not to be attracting much of an audience in this city. If that is because people fear the old man has let himself down, they should give themselves the treat of discovering their mistake. I admire it more than I did *Monsieur Verdoux*, much more than *Limelight*. It is easygoing, surefooted and unpretentious. A splendid coda to a matchless career. □

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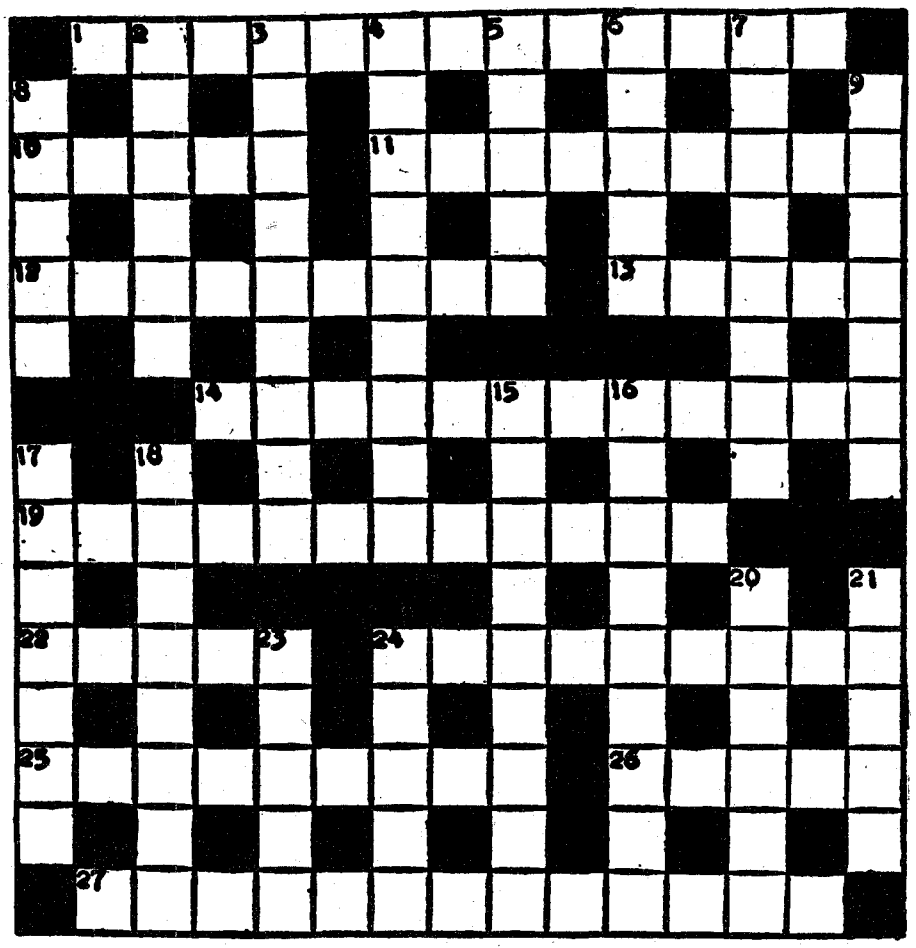
Crossword Puzzle No. 1521

FRANK W. LEWIS



ACROSS

1 A primary part of the plant might be missing with such, and close to you, sort of! (13)
10 Careless gesture? (5)
11 One eradicates bugs and flies. (4,5)
12 Prior to the development of big shots, they might be useful. (9)
13 Meaning taste? (5)
14 Evidently the old friend is non-U, as the word gets around. (6,6)
19 His 2 down was the First. (12)
22 The first note should be invigorating. (5)
24 Shakespeare's pantaloon was without the elision. (9)
25 Rather than talk a little, this will show up a counteragent. (9)
26 It might be right to fish. (5)
27 It should keep the joint clean, though certain elements might find it handy in a brawl. (7-6)

DOWN

2 Dress before this, for those who like to look down on acting. (6)
3 One might find a fly-by-night more tight. (5,4)
4 He may have been part of the team, but didn't necessarily carry the mail. (6,3)
5 Records, perhaps painful if a slip is involved. (5)
6 The sort of 8 found up in back. (5)
7 One wouldn't consider it pretty much out of position if you find it lies snug. (8)
8 Quaker in the manner of a writer? (5)
9 Try at first to persuade by allurement. (7)
15 Oxidized by bacterial action, if tried in combination. (9)
16 Zeus and company? (9)
17 Where smoke might be forced out. (7)
18 Potential sea food measured by the weight on board? (8)
20 Related to the particular tongue of the shoe? (6)
21 Snake seen in summer? (5)
23 A cubic centimeter with an oil preparation inside should settle this for baby! (5)
24 Bring to a standstill in a stable environment, possibly. (5)

SOLUTION TO PUZZLE NO. 1520

ACROSS: 1 Bridge of Sighs; 10 Creamed; 11 Explore; 12 and 22 down East-northeast; 13 Rusty; 14 Tomtit; 16 Unlacing; 19 Calipers; 20 Status; 22 Extra; 23 Volteface; 25 Seances; 26 Austere; 27 Inexperienced. DOWN: 2 Reeds; 3 Dementia praecox; 4 Endure; 5 Freehand; 7 Hoopskirt; 8 Eclectic; 9 and 6 Very Important Person; 15 Mule train; 17 Gas meter; 18 Crevasse; 21 Alkali; 24 Abele.

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Than you
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Are gone

The sands
Have shifted
And the vegetation changed
Great rocks
Have been worn down

But you
'Twixt rock
And sand and sea
Neath blazing Sun
And star encircled Moon

Will keep your place
As in the past
When such as I
Are done

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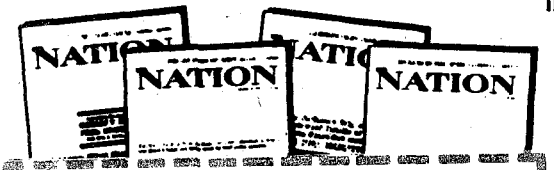

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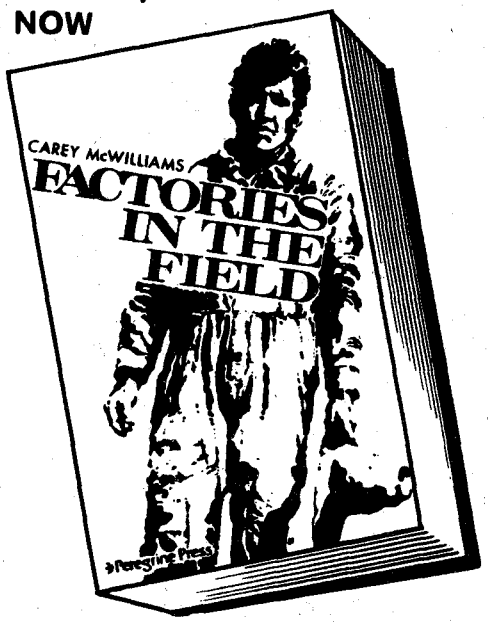

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